

INVESTIGATION OF THE ASSASSINATION OF MARTIN LUTHER KING, JR.

APPENDIX TO
HEARINGS
BEFORE THE
SELECT COMMITTEE ON ASSASSINATIONS
OF THE
U.S. HOUSE OF REPRESENTATIVES
NINETY-FIFTH CONGRESS
SECOND SESSION
(INTERVIEWS WITH JAMES EARL RAY)

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FOURTH INTERVIEW WITH JAMES EARL RAY, AT THE BRUSHEY
MOUNTAIN STATE PENITENTIARY, APRIL 29, 1977.

MR. LEHNER: The time now is 10:38, and we are now here assembled in the conference room at Brushey Mountain; and we will all identify ourselves for the record.

I'm Robert Lehner, Deputy Chief Counsel for the House Committee on Assassinations.

MR. EVANS: Ed Evans, Chief Investigator, Select Committee on Assassinations.

MR. GANNON: Tom Gannon, Staff Counsel, Select Committee on Assassinations.

MR. KERSHAW: Jack Kershaw, attorney for James Earl Ray.

MR. RAY: James Ray.

MR. REVEL: Gary Revel, Investigator for Mr. Jack Kershaw. (Louis H. Hindle, Stenographer, Select Committee on Assassinations).

MR. LEHNER: We have had some preliminary talks not on the record, but I understand that Gary has been taping this portion for your use, so why don't you, James, state what you wanted to state on the record.

MR. RAY: I think you raised an issue, you mentioned a former Tennessee correction - Mr. Harry Avery last week. You said something about if I have any more information -- Well, what I was concerned about now, Mr. Avery, he has made various statements about the conspiracy and he was sort of

a go-between, between Governor Ellington and Governor Ellington's Exec Asst, an attorney named William Berry. Berry later went to the Attorney General's Office. Now, also, Mr. Avery had some letter from Governor Ellington or something about how to handle me and possibly about the case. The reason I bring this up, one time Mr. Avery tried to introduce this letter to Judge William B. Miller's court, Federal Court, and Judge Miller read it and he wouldn't put it in. Of course, Judge Miller is, he's one of the most, in my opinion, one of the most independent judges in Tennessee. So, if he wouldn't put it in there, I thought there was some relevance to the case.

Now, Mr. Avery is about 75 years old now and we was going to subpoena him for the habeas corpus hearing to testify, but the prosecutor Henry Hale, told the judge that Avery was too old or something, of course, I don't really believe that. But anyway, that, what I'm getting at, is if anyone is going to talk to him I think they should talk to him before too much longer. Now, the reason I mention that, I have had about, in the last eight or nine years, I've had about 12 or 15 people look into various aspects of the case in one thing or another. Now, of all these people four of them have expired. One of them is a labor leader from St. Louis named Lawrence Callahan. Now, I'm not positive he's died, but I'm almost positive because I found out he was sick several years ago.

Another one was an attorney named Osborn from Nashville. You know his first name, I forgot and --

MR. KERSHAW: I know him very well, but it surprises me

I can't recall it right now.

MR. RAY: And another one --

MR. KERSHAW: C. T. Osborn.

MR. RAY: C. T. Osborn. Another was James Hoffa, Sr.

I think Bernard Fensterwald discussed him in the case sometime.

And the other individual that has died, he looked into his, I, I went to him one time when he was trying to send me to Springfield, Missouri and also on a libel case. And his name is Clyde Watts. He's an attorney from Oklahoma City, Oklahoma.

Now, the individuals, other individuals are getting elderly who have investigated some aspect of the case at one time or another is, one of them is Judge Ralston Schoolfield from Chattanooga. I think he's the --

MR. LEHNER: May I have that again?

MR. RAY: Schoolfield, he's a judge from Chattanooga, Tennessee.

MR. KERSHAW: Was.

MR. RAY: He's a General Sessions judge now and he's, he helped me certain ways and looked into certain things.

Of course, I mentioned Avery and --

MR. LEHNER: What are your interest in Avery? Could you tell us about that one.

MR. RAY: Well, he seemed to be Governor Ellington he made several kinds of -- Well, they wasn't really clear statements, but he said, he made one statement one time and

I got the clipping out of the paper, that if everything came out about the King shooting why there would be a lot more trouble in the United States, so, it's better -- I sent the clipping to Fensterwald and ---

MR. LEHNER: Who made that statement that was reported?

MR. RAY: Governor Ellington made the statement. I sent the clipping to Fensterwald and he wrote to Governor Ellington and Ellington declined to answer. But Ellington, his closest associate was William Berry, Executive Assistant, and Berry was very close to Harry Avery. So, what I'm more or less concerned about is the correspondence they exchanged. They had some written agreements and guidelines about how they would handle the case and everything, and Avery has the letters and I think the City tried to turn them over to the newspaper, but they wouldn't publish them.

MR. LEHNER: Now, these letters that Avery has are from whom?

MR. RAY: From, well, I don't know whether they are from Ellington or whether they are from Berry, but they are from one or the other because I take it that Mr. Berry was a middle man between Avery and Governor Ellington.

MR. LEHNER: What else does Avery has, do you know?

MR. RAY: Well, he -- I think he took all my materials when I came in, some of these phone numbers, I don't know if he kept them or not, he gave them all back to me the next day. But I just don't know what he had, but apparently he has got quite a bit because the Attorney General made a

strong arguement. Well, I heard some of it. They had a bench conference, Mr. Hailey, the Attorney General and Judge McGray, and this was a bench conference and I was on the witness stand and Hailey was very opposed to calling Avery up there. He said he was an old fellow and all that. But, of course, Avery is kind of old but he is still somewhat vigorous, and I don't --

MR. LEHNER: Let me ask you this, whatever materials Avery has pertaining to the case at all, from whatever source he got it, no matter what method he got it, do you give us permission to get it from him?

MR. RAY: From Avery?

MR. LEHNER: Yes.

MR. RAY: Yes. You can get anything you - as far as I'm concerned, whatever I told him or he told me. There's various clippings I got one here, but you can't, you couldn't xerox it, it's you could read it but it's xeroxed out. I was going to give it to --

MR. LEHNER: Whatever you told him or he told you, or anything else that he got in anyway that is relevant to the case, in whatever way he got it?

MR. RAY: Yes, well --

MR. LEHNER: You would give us permission to get that and look at it?

MR. RAY: Anything he told you I told him or whatever, it doesn't make any difference.

MR. LEHNER: Anything, no matter where he got it from?

MR. RAY: Yes. Anything.

MR. KERSHAW: I, I'd agreed to that too.

MR. LEHNER: Okay.

Can you -- You mentioned Lawrence Callahan, what does he have, what did he have? You said he was deceased? What -

MR. RAY: Well, he had someone investigate, he said he had Osborn, but I don't want to go into depth on that. The only reason I mentioned that, I'm trying to emphasize that four people have died here from old age or something, and there's three or four others, Avery, Percy Foreman and Judge Schoolfield, and it is my opinion that if they are not interviewed or something that they are -- That if they expire, whatever I say that they told me, well, they will say I just fabricated that or something.

MR. LEHNER: So you are suggesting that we speak to Judge Schoolfield, what would he be able to tell us?

MR. RAY: Well, I'm just telling you that these people are getting elderly now.

MR. LEHNER: Well, could you tell us what knowledge he would have of the case.

MR. RAY: Well, I think he made some contact with the late Hoffa, Sr. They was some type of friends and at one time they were going to help me investigate the case, but there was some type of realignment of the labor leaders, there was some fellow named Hardin and all that and then they decided not to help me but possibly Fensterwald would know more about that because he talked to Edward Bennett Williams, who was Mr. Hoffa's lawyer.

MR. LEHNER: What did Hoffa, Sr. do or was going to do?

MR. RAY: Well, these phone numbers, one of them, I've been told had some type of association, this Baton Rouge number, with the Teamsters Union. So, I decided at that time to perhaps contact, this was 1971 when I was down here, to contact -- Either contact Hoffa, Sr., but I didn't want to do that until - It might mess up his probe or something, so I think we instead, we contacted Hoffa, Jr., James, Jr., and then we found out later that Judge Schoolfield was some type of an associate of these people. So, I think Schoolfield -- When Hoffa got out of the penitentiary whenever that was. I think Schoolfield contacted him and they showed some interest in assisting me, and Schoolfield said something about there was a realignment of forces, whatever that means, and they decided not to.

But, there is another side incident on that, when I first came down here, well not when I first came down here, but when I was here about a year, there was an inmate in here named Junior Broom or something, and he told me that he was in the penitentiary with Hoffa and Hoffa used to save all the clippings and all this, to try and find out about the King case. And so I don't know if there is anything in that or not. This inmate he's paroled now. I don't know where he's at.

MR. LEHNER: Junior Broom?

MR. RAY: I don't know -- I know they call him Junior, and he lives in East Tennessee, but something like Broom, I'm not just -- They have records of it.

MR. KERSHAW: Schoolfield will know about him.

MR. RAY: I know I don't know if Schoolfield will know

about Broom, he knows about Hoffa.

MR. LEHNER: And this fellow Broom was an inmate with Hoffa?

MR. RAY: No -- Yes, and he later came down here.

MR. LEHNER: And what did he say that Hoffa had done?

MR. RAY: He said Hoffa showed a strong interest in my case and was always keeping clippings and everything. And I think he was asking other prisoners if they saw anything about it.

MR. LEHNER: And what about Clyde Watts, what was his connection with the case?

MR. RAY: Clyde Watts, well, he's a, he's a, we originally contacted him, something about a libel suit against Gerald Franks and he contacted Mr. Ryan, the Memphis attorney, Richard Ryan, but anyway he never did -- He never did get in-to the case, the libel case because it more or less petered out or something. The judge dismissed certain parts of it. Just, finally it just faded out. But later on when they tried to send me to the Springfield Mental Institution I had my brother Jerry Ray call up Watts and ask him about this -- This facility up there they, he called it a butcher shop. So, I was making, I was going, was thinking about trying to get him to recommend somebody to you know, to fight the extradition and he did, he did recommend someone. I think the name was, White, a Memphis lawyer named White, but then they shortly after that the State dropped the interest to send me up there. I think another, one of the, the only other dealing we had with Watts, I think Jerry called him and tried to get him to check on a name and a guy named

Rosen or something. I think Watts checked on him and found out his name was Rosenson or something like that. We checked some federal records in New Orleans, but his -- Then later on I think Jerry called him again and tried to get him to ask him some questions about some labor man or something, and I think his wife told Jerry that he had been killed in a plane crash or something. But most of this, all these letters and everything that Watts had were in the files, whatever correspondence I had with him.

MR. LEHNER: Okay.

I understand that the Canadian Broadcasting Company has been here and interviewed you, is that correct?

MR. RAY: That's correct.

MR. LEHNER: Okay, and I understand that you and Mr. Kershaw are consenting to send us a transcript of that interview?

MR. RAY: Well, if you want to send it, it's all right with me.

MR. LEHNER: Is that true Mr. Kershaw?

MR. KERSHAW: Yes.

MR. LEHNER: Okay. I also have the last waiver of attorneys that Mr. Ray had signed and I'd like, if you would, to consider adding to that, so that we can expedite that. Is there anything else that you want to put on the record before we start our questioning of you?

MR. RAY: Well, let me read through here. Well, I have a couple of clippings here I may give you but we can xerox them.

MR. LEHNER: Okay. I just wanted also for the record to state that we are waiting at your pleasure, as far as recommending to us a ballistics expert and we will be in contact with you Mr. Kershaw and consequently --

MR. KERSHAW: I'll locate one directly, is that all right?

MR. LEHNER: Fine. Okay.

Last time we were here we had gone into the the beginning of the, your stay in Los Angeles, maybe for continuity sake you could back up at this time and tell us about when you arrived in Los Angeles from Mexico?

A. I believe it was in late November of 1967.

Q. How did you get from Mexico to Los Angeles?

A. Mustang probably.

Q. Was there any difficulty in getting across the border, did you have anything in your possession at that time that gave you any problems?

A. No. I was questioned what I had in the car and then -- I'd shook it down -- and I told them nothing.

Q. They did shake it down or did not?

A. No. I had shook it down myself before I crossed and I told them nothing.

Q. Did you have that camera equipment with you at that time?

A. That's correct.

Q. Was there any questioning of you as to the camera equipment?

A. No. I think what he questioned me, what he asked me, the customs, was I bringing anything over that I had purchased in Mexico and I hadn't.

Q. And you came back by yourself?

A. Yes, sir.

Q. And about how much money did you have with you at that time?

A. Well, it is hard to recall. I would guess, well, in the excess of \$2000, I'd say.

MR. GANNON: Did you have the .38 at that time?

A. Yes.

Q. All right, had you hidden it in the car?

A. Yes.

Q. Where was that?

A. Where did I hide that? Well, I hid it, I possibly put it way up in the upholstery. I did this once or twice, I can't recall right now, but I know I had it. I can't recall two or three places I could have put it.

Q. And where did you cross the border from Mexico into the United States?

A. Tijuana.

MR. EVANS: Did you choose Tijuana, or was it just that it was in the direction that was closest to Los Angeles?

A. Yes, it was closest to Los Angeles.

MR. KERSHAW: May I ask, was that Mustang stick or power?

A. Power.

Q. The reason I ask, did sometime or another, somebody had said

that you had some clutch trouble with it? Is this just an error on their part? Clutches are in, are in stick automobiles not in power automobiles, right, it was definitely a power automobile, automatic transmission?

A. I never had any problems with it except a couple of flat tires and a new battery and that was it.

MR. LEHNER: Why were you intent on going to Los Angeles?

A. Well, I intended to go to Los Angeles or San Francisco possibly to get a ship out of the country.

Q. In Mexico had you seen anyone with Raoul?

A. There was this driver. I didn't see anyone else.

Q. Where was that that you saw that driver?

A. First time?

Q. Yes.

A. Well, that would of been in Nuevo Laredo. The second time would have been the next day at the customs, border crossing, not the border crossing but the customs, they had customs shacks about 40 miles inside the border and that was the next, the last time I saw him.

Q. Was that the same person with him on both occasions?

A. I'm almost certain it was.

Q. What did he introduce him as, what name?

A. He didn't introduce him.

Q. Did you ever talk to the man?

A. No. I never did. I saw him from the car and I think the profile, and that would have been about it.

Q. Did you hear him talking with Raoul?

A. No.

Q. How would you describe him, the man with Raoul?

A. He had a Latin appearance, and the features were more coarse, but that's -- I most likely could identify him if I saw him, but I couldn't describe him, anyone sitting in the car with any great detail.

Q. Did you ever see him standing?

A. I don't, no I don't believe I did. I think he stayed in the car all the time.

Q. Could you give us an estimate of his age?

A. No.

Q. Or his build?

A. No. In his 30's maybe early 40's. I couldn't give you any details on that because that was, we crossed the border and he was parking the car one time and I know we was parked on the wrong side of the street once. And I seen him from a more or less a profile angle. He was parked on kind of a --

MR. KERSHAW: Well, Jim was he a little man?

A. I couldn't see him. He was in the car.

Q. Skinny neck or fat neck?

A. Well, I don't look at all the details. The first time it was dark anyway, it was street lights on. There was no -- I may be able -- I could probably recognize the profile, in fact, a little more than a profile, but I couldn't give you any details about him.

MR. LEHNER: You could tell he was Latin just looking at him?

A. Well, I assumed he was, he had dark complexion.

Q. What about Raoul could you tell that he was Latin too, just by looking at him?

A. Well, that word is kind of a broad term, Latin, could be an Italian, Spanish, but from my associations it, I would think so ---- But I think certain Latins have different racial mix, make up, in Mexico there's more Indians and Spanish. And I assumed in my opinion this was, would conform more to Puerto Ricans.

Q. Raoul?

A. But I'm not familiar now with Cubans or anything of that nature.

Q. When you refer to Raoul as Latin are you referring to him as a Latin American as opposed to an Italian or someone from the Mediterranean area?

A. Well, I'd have to give you my definition of a Latin. That would be someone from southern Italy or Sicily or Spain or South America, but, of course, everybody that lives there is not Latin, I understand that. But there is certain, you get certain things in your mind what you - a Latin is.

Q. But what I'm asking is, when you are talking about Raoul, are you talking about someone who has Spanish background or are you talking about someone who has Italian background?

A. Well, I'd say Spanish from the accent.

Q. From his accent, he had a Spanish Accent, Raoul?

A. It's my opinion based on my association with Mexicans, Mexico and the Federal penitentiary.

Q. So Raoul had a Spanish accent?

A. That's correct.

Q. Did he also look Spanish; as opposed to looking Italian?

A. Well, that's very hard, I'm not an ethnologist or anything like that. It's difficult for me to say. I think I would say -- I would say, I would just say from his accent, I'm not familiar with accents, I'm not familiar with Italian accents or there's various accents that are different, I think the Italian, and Portugal, I think they even have a different language from the Spanish, so --

Q. So you are familiar with accents from meeting people with Spanish backgrounds in prisons, right?

A. Not only prison, but in the Mexico I use to have considerable association with them. I played handball with them, with Mexicans in Leavenworth.

Q. When he was in Mexico did he speak Spanish to the people, for instance, in the motel?

A. I can't ever recall him every speaking to anyone except maybe ordering a beer or something like that.

Q. And when he ordered a beer this was in the bar?

A. This was in Canada, that was in Montreal, yes.

Q. What about in Nuevo Laredo did he order any drinks there in the bar?

A. We never did go in any bars or anything. He never did - He didn't go to the customs with me, the only thing that I assumed he speaks Spanish, he did come to the motel in Nuevo Laredo so I assumed he was, but, of course, most of these people

speak English, these clerks, but I assumed you might - Being as he's familiary with them why they might let him in whereas they wouldn't let an English speaking person in there.

Q. Well, did you ever hear him speak a foreigh language, Raoul, for instance speaking Spanish in Mexico?

A. No. I think the two or three times I would have had an opportunity he was in another car so - But I'm - that wouldn't be necessary because I'm converse enough in the Spanish language to differentiate between Spanish and some other language.

MR. GANNON: Did he ever speak French in Montreal?

A. I don't think so. He usually just ordered beer. He's not, but, it's my impression that when you go into these places and you are with someone they usually speak the language you speak unless they talk, unless they get into some kind of side conversation or something. But I never heard any side conversations with any party.

MR. LEHNER: When did you first realize that he was a person of Spanish background?

A. I think when I first talked to him.

Q. And has that changed since that first time, your impression that he was a person of Spanish background?

A. No. That has never changed.

MR. EVANS: Did you ever ask him, James, did you ever ask him what his background was?

A. No. I was never, he never indicated what his background was. He mentioned one time, I think I have testified last week something about Cuba, but that was kind of a garbled

reference that I could go there and get a passport. It was never any indication of how I was going to get there or under what conditions.

Q. How many hours in total had you spoken to Raoul?

A. I don't think, in actual conversation I don't think it would be too much. I think it would be better how much time I actually was in his presence.

Q. Well, why don't we answer that one if you can?

A. I think, but I don't say too much, but usually I don't think it would ~~been~~ over, except when we was right in the car or something, I don't think it would be over three or four hours in all total. Except maybe driving from one spot to another.

Q. Well, how many different occasions did you see him in Montreal?

A. Six or seven I would guess.

Q. And you were with him in Birmingham and Atlanta as well, right?

A. That's correct.

Q. In fact, you roomed with him in Atlanta, is that right?

A. Well, no, he knew where I was rooming at and we made some kind of arrangements where he could get in through the back door, but there was never any, I know no one was rooming there except me and some other individual up stairs.

Q. During the times when you spoke with him, when you were not talking about illicit activities, planning, planning

smuggling operations, what did he talk about?

A. Well, I don't recall any indepth conversation about anything. It might be a comment about the weather or something like that or --

Q. Did he ever tell you whether he was married , had any children, had a, had a girl friend, where he spent his time, whether he had relatives, brothers, did you get any kind of that conversation from him?

A. Well, I never had any personal conversation. In fact, I have known people for years, the criminal associates and I don't know any more about them now then when I first met them.

Q. Did he ever tell you any of his opinions about anything, politics?

A. No, I never discussed political things with anyone while I was out there except, perhaps this Stein woman and --

MR. EVANS: What kind of dress, what kind of clothing did he wear, what kind of clothing did he favor, did he have the same things on every time you saw him or --

A. Usually dark suit and shirt with no neck tie. I don't think he ever wore a white shirt, it was just a regular, something to offset the suit he was wearing. I never --

Q. Well, were these sports shirts or were they dress shirts that, with just the tie absent, just the collar open?

A. I don't recall ever seeing him wearing a ties. He always wore a coat and Fensterwald had a, Bernard Fensterwald had an idea that he might have been on narcotics, but, of course,

Fensterwald has his access to more information than I do. So, it's --

Q. Was he given to wearing sport clothing other than business suits or?

A. No, this was usually a business suit.

Q. Business suit?

A. Something.

Q. Did you formulate any ideas as to what his front was. I mean, when I say "front" I mean perhaps when he was not with you that he was engaged in some other sort of business?

A. I assumed he had something to do with the sea, some type --

Q. With the sea? What gave you that impression about his dress, gave you the impression?

A. That he was involved in --

Q. That he was involved with maritime, maritime or seamen or something of that sort?

A. Well, from his conversation about, well, the travel documents all our meetings were usually on some type of seaport or river, in Memphis, Mobile, New Orleans and Montreal. And I've -- I've had some association with Merchant Seamen while I was in the Army and they, I guess that was in the back of my mind. He impressed me as being involved somehow in, maybe not a Merchant Seaman, I don't know too much about that trade, I know that business agencies and recruiters and that stuff, I know that you have to have schooling. Once when I was in New Orleans, I was trying

to get some papers down there. They told me you had to go to Merchant Seamen's School or something. I'm just not familiar with all the details of the Merchant Seamens.

MR. GANNON: When he talked to you about travel documents did he talk about why it was essential or important for him to get them?

A. Well, to begin with I knew there was no really big problem to get these things, but I think they cost a thousand dollars a piece, but from the criminal sources as far as passports, but he mentioned travel documents. I assumed that was either a passport or a Merchant Seaman's papers. But I didn't go into any detail with him, I didn't want to argue about it, I was just interested in getting the papers and --

Q. Did he give you assurances that he could get them?

A. Yes. He gave me, well, I believed the assurance once or twice and then I, after that it was - there was assurances, but, later on I was more concerned about the money than I was --

Q. This is to go back just a little bit but, when Mr. Lehner asked you whether you ever talked politics, toward the end like March, April of 68 he was talking about running guns then wasn't he?

A. Yes.

Q. Did he ever tell you what those guns were to be used for?

A. Well, I understood that they were to be transferred into Mexico. Just three or four days ago I read where, I

didn't know at the time, but I read where, I think I took the clipping out of the paper two or three days ago where there was Army surplus rifles and things in Mexico where I think they are worth seven or eight hundred dollars. So, I don't know if this was the same thing seven years ago, but probably if it had of I'd have been in my own trade.

MR. GANNON: Did he ever tell you anything about, like the guns were to be used for political purposes to overthrow a government or something like that?

A. Well he mentioned, he asked me one time to look at military rifles in the sporting goods store in Birmingham, which, I don't know if you have ever been there, but it's a huge place, it looks like a warehouse. And they do have various military rifles there and I did handle four or five of them and I asked the owner there how much they sold there for and all that. So, I don't know, I think that was the extent of our conversation on the --

Q. He didn't say anything about revolutionaries using the guns when they eventually got to Mexico?

A. There was never any details on that.

MR. KERSHAW: But they were Army rifles and not hunting tools?

A. Well, I was under the impression that I was suppose to get two different kinds, scopes plus the regular. I think they were Mauser rifles the ones in Birmingham, if I'm not mistaken or M1's

MR. LEHNER: When you got to Los Angeles where did you go?

A. I went to a, I rented an apartment on Serrano Street.

Q. How did you come upon that place?

A. Well, I just parked the car in a residential area, which, what I thought would be the most safest for police surveillance and started looking around that area before I found a suitable place.

Q. And how did you know they had rooms there?

A. I think they had a sign on the door I believe it was.

Q. What happened when you went there, what did you say?

A. Well, I believe I told - I don't believe - I believe I rented off a lady, I don't believe she asked me too many questions. I just don't recall what I did tell her.

Q. What name did you use?

A. I made, I probably told her I was from Mexico and I was in some business in Mexico. The name I gave was Eric Galt.

Q. And did you sign the register? Was there a register?

A. I don't think there was a register. I can't recall. I, I didn't have too much conversation with the woman and I believe she was married or something. I couldn't recognize her now if I saw her.

Q. And you say you had in excess of \$2000 at the time?

A. I'm pretty sure I did because I think I spent - I didn't spend too much in Mexico because I stayed in these more or less frugal establishments. I think I probably had about \$2500.

Q. In what, what country's money, United States currency?

A. Well, probably most of it. See, you can spend United States currency in Mexico. I would say most of it, I may have had a small amount of pesos or whatever.

MR. GANNON: Did you have any Canadian money with you at this time?

A. Yes, I had Canadian.

Q. Did you, well I guess my question is, with that much money did you rent a safe deposit box in Los Angeles the same way you did in Birmingham?

A. No. I didn't rent any safety deposit box in California.

Q. Where did you keep the money, that much?

A. I usually had, that was kind of divided up. I think I had some of it locked in the car. I had a different kind of an apartment in Los Angeles than I had in Birmingham. In Birmingham they had the maid and things and people going in and out of your room all the time and cleaning it up. Where in Los Angeles no one ever came in your apartment, you had your own keys and everything.

MR. LEHNER: It was a furnished apartment?

A. Yes. Well, see in Birmingham had you had meals and everything there. It was called economy grill. It was a home or something. Whereas in Los Angeles it was a considerable better place and no one came in your room or anything like that. It wouldn't be no problem.

Q. In Los Angeles it was a furnished room, however, was it not?

A. You --

Q. You didn't have to buy furniture for the place?

A. Yes, it was furnished, that is correct.

Q. And, but you did not have any maid service, you did, you cleaned your own room and made your own bed?

A. Yes. I'm pretty sure that's how it worked.

Q. What did you do after arriving in Los Angeles and taking a room?

A. I'll never be able to get all this in sequence until probably I get these papers I gave William Bradford Huie, but --

Q. Which papers are you referring to that you gave to Huie?

A. Well, now, not even some of these are not correct because I made corrections on them, but these are the papers that I wrote out for Huie that he based, that he wrote his book on.

Q. What's called the 20,000 Words you mean?

A. Well, something, somewhat different than 20,000, somewhat less but that's the one that I think Mr. Kershaw will be able to get them within a couple of weeks, see Hanes or someone else -- Well, let me get to your question. You want to know all the details I went on in California?

Q. Yes. As best you recollect.

A. I think it would be better -- I can't get them in sequence. I think it would be better just to take one section at a time for instance where did I work at, what action did I take to get jobs, what action did I take to get passports. But I think the first night, the first thing I did, I didn't get,

naturally I didn't try to go find a job but later on I did. But I think in that area I think I called a Big Bear Lake one time. I think they had an ad in the paper. I think -- I think I put an ad in the Los Angeles Times one time as a culinary assistant. But then I think I answered several ads but something always came up, social security card number for the Galt name, which I didn't have, but I -- Now, these, this, attempt to get jobs came back when I was getting more short on money. Because things are a little more expensive in Los Angeles than they are in Mexico. Anyway, nothing ever come of that. Now, these various things which you call wasteful money, I think I went to bartending school. I don't consider that too wasteful. I think I spent a couple of hundred dollars there. And I went to dancing school. I think I spent about three hundred some dollars there. And I went to this doctor, that practiced - I had hypnosis, I think I spent, there's two of them. I think I spent about in excess of a hundred dollars there.

Q. Why did you go to the hypnosis sessions.

A. Well, that was just -- That was just something like the locksmith sessions, it was something I got interested in in the penitentiary and there was a lot of advertisements in California about hypnosis and I wrote to some - I called some individual that I had read a book about in the penitentiary. I can't recall his name now, but again I gave that to Huie, and that's all in the papers, and he recommended these individuals, you know, you go to. I thought it was kind of a -

something to pass the time with or something. But anyway, that never come out to too much of anything. I was just, like I say time passing.

Let's see, the bartending school, hypnosis, the dance school, I can't think of anything else in that area. I looked into employment. Maybe you want to ask some questions?

MR. GANNON: What about the -- You were talking before about the passports, seamen's papers, things like that. What did you do?

A. The efforts I made to try to get them?

Q. That's right.

A. Well, I think I -- I think I checked on a country called Columbia. I know there was an article in the paper when I got out there saying that Columbia waived, in order to get more tourist, they waived the requirement that you have a passport. In other words, you can get into Columbia, South America and Bogota with just a visa. As I mentioned the last time, I seen the article in U.S. News and World Report about Rhodesia and you could get -- They wanted immigrants. And when I got to Los Angeles I followed that up. I think I wrote to some organization called the South African Regional Conference or something and asked them about immigrating to English speaking countries in Africa. I don't recall ever getting an answer from them. I did call the Coast Guard several times, two or three times, asking about information to get in the Merchant Seamens and I don't know if I ever, these would probably be in the -- I rented a telephone. I forgot

to mention, as soon as I got into the Serrano apartment to make these various phone calls with. I don't know if I -- I don't know if the Coast Guard, what information they gave me.

MR. LEHNER: What was the number of the Serrano apartment do you remember the address?

A. I don't recall.

Q. And what name did you take the phone out under?

A. Galt.

Q. Did you make any long distance calls from that number?

A. Well, I think I called the Bear -- There was an ad in the paper one time. They wanted employees at a place called Bear Lodge, and I believe it was in, was close to the Nevada border. I think Charles Stein once, this is the individual that I took to New Orleans, he didn't have no money, I believe he called his sister or something and said he was coming down to pick up the children or something.

MR. GANNON: He used your phone in the apartment?

A. That's correct.

Q. I see.

MR. LEHNER: And where did he make that call to?

A. To New Orleans I assumed.

Q. But that was to a relative of his in New Orleans?

A. Now, I -- There's phone records somewhere. I don't have them, but, of course, you will probably find that out anyways.

Q. Have you seen those phone records?

A. I never saw them. I haven't got a scrap of evidence from the government since --

Q. Well, do one of your investigators have them. For instance, Mr. Lesar, Mr. Lesar was your attorney, but Mr. Weisberg --

A. Well, Weisberg filed a Freedom of Information Act and I signed a waiver. Do you want those waivers by the way?

Q. Yes.

A. From the CIA and the FBI, he claims he's got about 1500 pages in there dragging them out. He claims he's got, he wrote me a letter and inferred that he's got all the phone numbers and I think Gerald Franks has got them, and George McMillian's got them, everyone has them but me, so --

Q. The phone numbers of the toll calls you are talking about?

A. Of everybody I called from the Serrano Street apartment. I have a vague idea of the places I called, but I can't remember them all.

Q. Now, what efforts did you make to get out of the country from Los Angeles?

A. Well, other than -- Well, other than contacting the Coast Guard several times and, of course I had, I wasn't really just hooked up on this one getting out of the country from Los Angeles. Later on I thought maybe I could do something from New Orleans. Now, as I mentioned I did call the Coast Guard. I think I checked on Columbia. I don't know if I wrote there. I don't know if they have a consulate there in Los Angeles or not. I may have called them, but, of course,

you would have to see the phone number. I wrote to this South African Regional Council and -- I probably made other efforts, but I just can't recall until I see, until I see these other papers.

MR. GANNON: What did you do for recreation while you were there in L.A.?

A. Well, I didn't go out too much. I had a -- I did have the auto, I was -- I didn't like to drive it too much unless it was necessary on the freeway or something. I had a TV in the room. I think I bought a TV off some party in Los Angeles. I had a set of dumbbells. I use to work out with weights.

Q. You bought the TV in Los Angeles?

A. That's correct.

Q. Did you go to any taverns or bars?

A. That's correct.

Q. Do you remember their names?

A. Well, I just seen one last night. A prisoner here that was in there, one of them was the, was underneath this hotel. I moved to a hotel after I was out there about a month and a half. It was, I done forgot it, I seen the name yesterday. It was -- Well, I can answer any questions about it, but I just can't recall the name of it right now.

Q. You don't know the name of the bar?

A. The Burning Lounge, maybe, no, I think that was one in New Orleans, I just don't recall. I could get it.

MR. LEHNER: You saw it on television yesterday, you say?

A. No, a prisoner here he's just come in here from Cali-

fornia and he had a bunch of addresses and he asked me if I recognized any of them. And I saw this bar and I said yes -

Q. Was this in the newspapers? Did you mention something about the president was --

A. A prisoner.

Q. A prisoner, all right. A prisoner showed you some -

A. He recently had been extradicted from California here to Brushey Mountain and he asked me if I knew any of these addresses and I said yes, I recognize that one tavern. It was the one I use to frequent occasionally. It was underneath the hotel I stayed in.

Q. Which hotel was that?

A. I can't recall that name. It was on Hollywood Boulevard.

Q. Well, how many different places did you stay in Los Angeles, the Serrano and what else?

A. The Serrano and the hotel on Hollywood Boulevard.

Q. Is that the St. Francis?

A. The St. Francis, that's correct.

Q. And the bar is underneath the St. Francis?

A. I would recognize it if I heard the name, but I can't think --

Q. When did you move to the St. Francis?

A. I believe after about two months.

Q. What month would that be in?

A. Well, that would be in January.

Q. What was the reason for moving from the Serrano to the St. Francis?

A. Well, there was no particular reason. I believe the rent was cheaper and I usually just, it's probably a good idea to move around a little bit, not to stay too long.

MR. GANNON: And you said you bought the TV from some party out there. Did you buy it from a regular appliance store or was it like a street purchase?

A. No. It was just a private party. I think I got the name out of the New York - I mean the Los Angeles Times. It was a console. I know I had to drive quite a way to get it and -

Q. And this was just advertised in the papers that somebody had a television set they would like to sell?

A. Later on I traded it to another party in the St. Francis hotel for a smaller one.

Q. Who was that, the other party?

A. Well, see, some female barmaid that I -- Gretta Stein I believe her name was. Merita Stein I think it was.

MR. EVANS: James, you said you ran an ad in the Los Angeles papers for jobs?

A. That's right.

Q. How long did you take that out, one day, a week, a month how long?

A. I think it was two or three days.

Q. Two or three days. Did you make that when you originally went to the papers or did you call the papers and run the ad, or how did you go about placing the ad?

A. No, I went to the newspaper office.

Q. Yes.

A. And I asked, I inquired about it, and they told me how much they, because they charged so much a word, or line or something.

Q. Yes.

A. And they asked me to write out I think what, what I wanted to say, and I paid him and that was it.

Q. Right. And you asked - what did they offer you, a week, what was the - what I'm trying to get out --

A. I don't know if there's a limit on it or not.

Q. Was there a limit on the days, did you have to take it for a week, did you have to take it for a day, and then, just what?

A. I don't recall. I think you had your, I think you had your choice on it. I think, I took it for two or three days but, I don't think, there was no certain amount of days you had to take it out.

Q. Is there any particular reason why you chose not to use another alias?

A. In Los Angeles?

Q. Yes, in Los Angeles, I mean, was it a situation where you had parking privileges at that particular place?

A. On Serrano Street I had parking privileges, and I think the St. Francis Hotel there is also parking privileges, but, well, it would be ridiculous you know to use another alias to use an alias when all my identification is in Galt. Usually the only time I use an alias is when I might be traveling through the country and I might stop at a hotel or something, and I might use an alias, but --

MR. LEHNER: Why would it not be ridiculous to use an alias when you are at a motel, but you would use an alias while you are at a hotel? Couldn't a hotel, a person at a hotel ask you to, for some identification when you checked in?

A. I never had anyone in the United States ask me. In Europe they ask you for your passport, but I never had anyone in the United States ask for identification when you check into the hotel. I guess you usually check in, or if, as long as you pay in advance they are more or less interested in getting your money than they are - But, of course, if you come in broke, I mean, you come in with no luggage and you wanted a room for a few days later, why they might --

Q. Why would you not use Galt at a hotel?

A. Why would I not use it? There was no, really a reason for it, I would just rather not use my correct name at a, in a hotel that I'm staying in over night. I can't-- force of habit maybe.

Q. Now, at the St. Francis, did you also have a phone in your room?

A. No, I don't believe there was. I think they had one down in the lobby.

Q. Where would you make your phone calls from?

A. Most likely in the lobby or out in the street, or in this phone calls there's phone booths all around. I think I would probably have made most of them from the street. Because I know in Los Angeles there was several phones around in, in the area. I know I had a lot of trouble with, with calling out there because you put your money in and something would

happen and I know several times the operator would say, well give me your name and we'll send you your dime back. So, I know from that, I remember making several phone calls.

MR. EVANS: Did you ever have a dime sent back to you?

A. I'd just tell them to keep it.

MR. LEHNER: Which phone booth did you use?

A. You'd pay 13 cents to get it.

Q. Which street booth did you use?

A. It would have been the immediate area of the St.

Francis Hotel, or the Serrano Street.

Q. Well, why would you use a phone both in front of Serrano Street, if you had a phone in there?

A. Well, if I was to make some phone, something that might be illegal I probably would use - I know - I don't recall but I know I wouldn't use my own phone if I was calling a thief or something.

Q. What illegal things did you deal in, for instance, that you had to make phone calls from in front of the Serrano rather than from your own phone?

A. Well, I think twice I called New Orleans. I know I would never have used that phone number, that particular phone. Also, I know one time I was getting these addresses of various hippy type organizations and I think I did use the phone to a certain extent on that, but I was using a different address than the one I was dealing with?

MR. GANNON: Did you call New Orleans from the pay phone while you were in Los Angeles?

A. Yes. I'm almost positive I did.

MR. LEHNER: Was that in front of the Serrano or from the St. Francis?

A. It would probably be in that area between the Sir Serrano - The St. Francis is not too far from the Serrano Street, the apartment, I would say it was about three blocks at the most.

MR. GANNON: Did you call this number that Raoul had given you?

A. Yes, I called.

MR. LEHNER: Did you call collect or did you pay for it yourself?

A. No, I paid for it when I called it.

MR. KERSHAW: This new prisoner in there -

A. I never made a collect call while I was on the street.

Q. This new prisoner in here from California, what's his name?

A. Well, I don't want to go into anybody's name. I just mentioned that I recognized that --

Q. Okay, that's all right.

MR. LEHNER: Which calls did you make from the St. Francis lobby phone and which calls did you make from the pay booth phone in front of the St. Francis?

A. Well, if I, if I, I think if I made some calls, if I called New Orleans it wouldn't be in the St. Francis. I think I made most calls, anything I consider criminal, would have been outside on

a pay booth, plus some of these socalled - I don't know if hippy is the right word, I probably called some of them from outside the, from outside of the regular pay phone.

Q. Which was the calls that you made, say in the St. Francis lobby, from that phone?

A. I think probably I may have called that dance studio. I really don't know. I think the FBI got that phone. Somebody said they took it off a wall, but I don't know. I didn't make considerable phone calls while I was in Los Angeles, but I can't recall where I made them all at -- I think there was a phone in the lobby --- I probably called some harmless phone calls from there, but --

MR. EVANS: Did you ever do any writing on the walls?

Why would the FBI have those numbers?

A. Did I ever write on the walls?

Q. Yes.

A. I never wrote nothing on no walls.

Q. I think you just said something about the FBI, they have those numbers?

A. They took the phone off the wall.

MR. LEHNER: The phone itself?

MR. EVANS: They took the phone?

A. I understand they took the - They took the phone and the surrounding areas. They took all the records and in some places they just took the whole phone.

I don't know why anybody would want the whole phone.

MR. LEHNER: You say you heard about them taking the

phones. From what source did you hear that they took the phone?

A. It was in some publication, I think William Bradford Huie or somebody. He was privy to the FBI and he saw a copy down there, at that time at the FBI or something.

Q. Did you ever write on the areas outside of these phone booths in the street or the one in the St. Francis or any other, for instance, telephone numbers?

A. No. I'm almost positive, I never write any or make any notes on, on a phone booth, or anything like that.

MR. KERSHAW: If you did the FBI has the whole phone booth.

MR. GANNON: Why were you calling these hippy organizations?

A. Well, I was, I had really two reasons for them, one reason was kind of irrational. I was thinking about, I did send them some pictures, they was all exactly a like. They were a profile. I seen the pictures and I may have them here. No, I don't neither. It was all in the exact profile. I was getting kind of leary, I guess, you would call it towards the end. I had been going through Mexico and Canada and all these various aliases. I thought maybe the police would make a better effort to look me up, especially if I got Merchant Seamen's papers or something so I wanted to, to alter my appearance, especially if I got the Merchant Seamen's papers and I did mail these various pictures out at one time. The other reason I used these addresses in several incidents, I think when I was stopped in Montreal -- In

Toronto after I got, went, had gotten in Canada the second time. I gave this - I was stopped for jaywalking. That's a serious charge in Toronto. It's more serious than it is up here. They take your name and address and everything and I gave them the address of this loney hearts hippy female or whatever you called it.

Q. What name did you give them on that jaywalking charge?

A. I gave them the Galt name and that was before the - they started looking for me and the FBI hadn't released the Galt name.

I give them because I had identification under that. I didn't know if the police were going to ask me for my identification or not. I gave them this woman's address and I went back to the apartment and destroyed all the Galt identification and I decided I wouldn't do any more jaywalking. And shortly after that I got the Bridgeman passport.

MR. GANNON: How did you find out about these hippy -

MR. LEHNER: Sorry. You say you got the Bridgeman passport?

A. Not the passport, the birth certificate.

MR. GANNON: How did you find out about these hippy organizations?

A. I read about them in a pub- publication. I read up on them a little bit. One time, I thought it might be a good idea to get one of these colonies because they said the police never come there because the police don't like to fool around in that type large groups. I got the addresses of most of them out of a

publication called the -- It's published in Los Angeles, it's called the L.A. Free, Free Press, I think is what it's called.

Q. Were these organizations running ads in that paper?

A. Yes.

Q. And what was the pitch of the ads?

A. Well, I didn't understand the terminology. It was all - They got code names or something, I know I used one of the ads to get the names and I just copied more or less out what was written.

Q. Did they ask you to send a picture to them?

A. I think some of them does, but I don't recall. These ads, some of them are kind of farout. It is difficult if you are not in that culture to understand what they are talking about.

MR. LEHNER: What were your motives in doing this?

A. Well, I had two motives. One, I was going to send these pictures out later on, that was the bright idea of mine, if I did get some type of a false identification, false United States identification - Now, as I mentioned I was going to use, I did use their addresses several times.

Q. You say if you did get a false U.S. identification?

A. If I did get a false -

Q. If you did?

A. Well, if I got one I thought at one time I had a pretty good chance of getting it before I got, went back to New Orleans, but I thought possibly the way you have to understand this is that I wasn't just working on one effort

to get out of the United States. I had to - It was also the Merchant Seamen, possibility of going to Columbia if I had enough money and all these other, this New Orleans connections and all those, I don't think you can look at it in just one context just trying to get a Merchant Seamen's papers.

Q. You said if you did get a false U.S. identification then what was your motive as far as this was concerned?

A. I thought possibly that if I got a Merchant Seaman's papers, it might be a good idea to circulate them pictures, but I also thought that the possibility if I, if the police made a greater effort into looking for me, possibly some informant that said I was doing something illegal on the borders - but I think I thought that they might assist some way in that way by my appearance, because a lot of people - when you get a lot of heat on you, especially the FBI start circulating your pictures, you can get identified through your pictures and I was attempting to alter my appearance and give people a false impression of what I looked like.

See, the only pictures I ever had in my life time was mug shots in penitentiaries and they are, for some reason, they are very poor identification. I don't know why, but it don't take too much altering to, in other words, you just have to make slight alterations and there's no comparison between two pictures. In other words, a commercial picture that you take on the outside versus the mug shot that you get in a penitentiary. But you usually - I don't like to get a picture in a penitentiary, I attempt to alter my expression some

way, anyway, to make it more difficult to identify me.

MR. EVANS: Would you do me a favor, would you go into the whole thing about how you happened to select the doctor or the surgeon to alter your appearance?

A. What?

Q. First of all, you, I'd like for you to give me an idea as to why - I think you just went through why -

A. Yes.

Q. All right, now how did you go about, what were the processes you used to make your choice?

A. Well, I knew at the time that it was best to call a medical association if you wanted a competent doctor. I called -

Q. How did you know that? Did you ask someone?

A. Well, that's some knowledge I've picked up and I think that's -- usually you call an organization, well, if you want a doctor you call a medical association. If you want a good lawyer you usually call a bar association, but, of course, in my position that would be an error there, to call the bar association for a recommendation. But anyway I did call the medical association. I think it was the Los Angeles Medical Association. They said they didn't recommend specific doctors but they would give you a list of three competent ones and you could take your choice. And, they give me this list, now, that was on the phone. I called them on the phone. I don't think, I think that was on the pay phone on the street. They gave me a list of three doctors.

MR. LEHNER: They mailed it to you or gave it to you

over the phone?

A. I think they give it to me on the phone and I wrote it down. I can't remember all the details, but I know I did call the Los Angeles Medical Association, I believe they call it. So the gave me the numbers, so, I think I decided on the doctor, well, the one that was closest to the St. Francis Hotel where I was staying. So, I went and seen the doctor and I told --

MR. EVANS: Did you call any -- You made one call or two calls? Did you talk to any of the other two before you spoke to Hadley.

A. I don't believe I did. I think I choosed him because he was --

Q. Closest?

A. Closest.

Q. And then you called him. Okay, go on.

A. I don't know if I called him. I may have went to his office. I think I finally went to his office. It's kind of a casual operation because that's something like hypnosis out there, everyone is you know into it more or less. And I think I told the receptionist that I wanted to see the doctor about some type of plastic surgery and she didn't appear to be -- she just asked me where I was, the name and address or something. I think she asked me, I think I volunteered some other information about my brother in St. Louis or somewhere. But I'm not sure about that, but anyway, now I talked to him and he seemed to be kind of a professor type, he didn't seem too interested.

in my business affairs, and I told him I was thinking about being a commercial announcer and he -- I asked him about the details of it and he looked at me and examined me and he said, made an appointment, and I think he told me what the price was and to bring the money when I came and something like a lawyer. So --

Q. What was the price that he quoted you?

A. \$200.

Q. Had you expected it to be that, that price, had you expected that price, had anyone given you an idea as to what the price range might be?

A. Well, I didn't know. I think I asked, I made inquiries about that. I may have, I don't know if I asked the receptionist or not. But I wasn't going to spend a considerable amount of money which I didn't have to spend, but I possibly could have seen an advertisement in the newspaper, but I knew something, I did have enough knowledge to know something relatively minor wouldn't be, you know, real expensive, some of those operations would cost you a thousand dollars.

Q. Well, the price, the price he quoted, you thought that was reasonable?

A. Yes, that was reasonable.

Q. Was it expensive?

A. Yes, it -

Q. Were you surprised at all that it would be, that it would be that inexpensive?

A. Well, I was prepared to go another \$100 or .

but I might have been surprised in the mid west or something, because that stuff it's not, it's an exception there, but out there it's advertised and it's not considered no big operation. It's really a casual deal. They just act like it's a simple operation, the fact is, they performed the operation right in the office. And they just take a picture of you and then they -

Q. Okay, do you want to go through the whole procedures as to what happened now after you agreed on the price? What did he do?

A. Well, he set a date for the operation and then the, of course, I came, I went through with it and came back up there and before he performed the operation I gave him \$200 and he seemed very confident other than being the professor type, as I mentioned, and did the, then he give me some local anesthetic. They con't give you, you don't go under ether or anything and then after, after the operation which doesn't take very long, 40, 40-45 minutes they mold your features and put the tape on and he did all that and told me to come back and check for infection I think a couple of weeks. I owed him, he -- Well, they put this grayish tape on it to just keep it like they want. Well, I took the tape loose and tried to mash my nose down further because my nose originally was kind of a sharp pointed, more or less normal. Then I went back in about, whenever it was, I think it was two weeks and he said I was coming along good, there was no infection he told me to come back. I think it was nother three or four weeks and he was going to have my picture taken for

his journal or something. I don't know if I signed a paper waiving that right or not but I never did return for the picture taking session.

Q. Were there any stitches in your nose?

A. I think it's possible. I believe it must have been, I think it's possible he took those out on the two week examination. Maybe I took some of them out, I can't recall. I think, I know there was stitches in there, there's no doubt because there was considerable cutting.

Q. Were these tye type of stitches that dissolve into your system or were they they type that had to come out?

A. I just don't recall. I assumed they were, they make stitches but I can't recall. I know he examined me and he said the operation was a, there was no infection, that's what they are concerned about.

MR. EVANS: What did you do for the three weeks or two weeks that your nose was bandaged? Did you carry on normal activities or --

A. Yes, I ddidn't - Actually the soarness went out in a couple of days. He had me - My eyes were a little, slightly dark, but I didn't - that didn't really, the only thing you had to be concerned about is getting punched or something, but there was no curtailment of your activities. You could go, go ahead about our business.

MR. LEHNER: What was your business during this time?

A. Not too much of anything at that time, except what I have already testified to here.

Q. Where were you going, and what, what particular hangouts were you spending your time?

A. Well, there were two of them. There was one between - Now, I didn't spend too much time there, I never did get what you call drunk or anything of that nature. I think three or four drinks would probably be the maximum which would be whiskey or something of that nature. One was a bar right underneath the St. Francis Hotel, and another one was a club which I thought was, to my mistake was a quiet place a couple of blocks to the east of there, but I don't -

Q. What was the name of that place.

A. I can't recall, it set on the corner of Hollywood and some other street. Hollywood Boulevard and some other street.

Q. How did you get to meet Marie Martin?

A. Marie Martin. She was a barmaid in the St. Francis Hotel, and I was just talking to her more or less.

MR. GANNON: Was this the lounge underneath the hotel?

A. That's correct.

MR. LEHNER: That's the one that you say the prisoner had the address of, or had the name of?

A. Yes. I recognized the name of the bar.

Q. Can you tell us what your activities with Mary Martin, how you came to meet her, and what you did with her?

A. Well, let's see, I think, well, the first time I met her would probably be in the, probably before I went to the St. Francis, before I moved up there, because I went in

those bars, as I mentioned a while ago they are close, close to Serrano Street. I think she was from New Orleans originally. I think her accent was an -- She was, as I mentioned a barmaid in the St. Francis in this lounge and after I talked to her may be two or three times she started telling me something about her family, her social relationship or something. She said she had a boyfriend doing five years in San Quenten for possession of marijuanna I believe it was.

MR. GANNON: Did she sit down and drink with you while you were in the lounge?

A. Well, she didn't come around from behind the bar, no. She more or less - The conversation - She found out I was from Birmingham being she was from the south, I think she thought there was some type of a -

Q. Connection?

A. - connection, yes.

Q. Did you ever take her out to some other place?

A. No, I didn't.

LEHNER: And tell us about the conversations with her?

A. Well, the conversation more or less was like a man and woman conversation. She mentioned once that she -- one of the highlights that stuck out in the conversation was that she was concerned about her boyfriend in the penitentiary and all that, and she wanted to know about all - how to get him out and things like that. But, of course, I didn't tell her that I was in jail and had some --

MR. EVANS: You didn't give her any escape tips?

A. Hints -- No, and she did mention one time that she would like to get in politics and see lawyers and all that stuff. So --

MR. LEHNER: See lawyers?

A. Get a lawyer with influence who could possibly help her. A lot of, a lot of lawyers go before parole boards and things like that. So one thing led to another and I think we had some conversation about getting involved in politics, and I took - I've been down to a place in north Hollywood and there was some kind of a registration place down there and I don't know just how all the details of the conversation come up, but anyway I told her I'd take her down there and she should get in politics or something and, of course, all the time I thought this was kind of foolish, but you don't want to argue with a woman about things that may be foolish. So, she registered and I understand she registered for Wallace, George Wallace out there. I don't know, if, I'm not positive because I think you can register for anyone. So, she mentioned two or three times later, she started talking about this, her boyfriend she needed to do something for him. She had a letter from him and all that I guess. So, I mentioned to her another time that if she was really serious about it that she should try to get someone who has political influence or something and I suggested that she register Republican out there, because I think they were in charge of the government or something, the State government. So, she went back down there and registered. I didn't take her down this time, she went down on her own. The time I took her down

there I went next door and purchased two tires for my -- they had a used tire shop right next door. But, anyway, the second time I didn't take her she went down there herself and then she come back and told me that she had some registration paper. She told me she registered for Republicans or something and I think that's the last conversation I had with her, on her boyfriend. I think the other conversation had something to do with - I told her I had to go to New Orleans one time or something, and she asked me if I, if I could pick up - she had two nieces down there or something and I said I probably could, and she said something about she had some cousin or something that would help me drive or something. His name was Charles Stein or Martin or something. So I made some kind of arrangements with her that if he possibly helped me drive or something why I'd go ahead and haul these two children back. So, the next day when we got ready to leave I saw Stein and he was broke and he wanted to call his sister or something, and he was sort of a hippy type, he had beads and sandles and all that, a beard and all that stuff. Anyway, I decided to go on down there with him and so I think he called and let them know he was coming down ahead of time and he told me if he, that if he paid our - that he'd pay the trip back if, that he there and pick them up, he'd have the expense money back. so, we drove on down there and he - he was I mentioned he was kind of odd. He started seeing flying saucers and all that. And, when we got down there and I took care of the business I had to take care of and I was in a hurry to get back, and we

drove straight on down there and we didn't stop anywhere. Well, he wanted to stay down there a couple of days and he had something he wanted to take care of, so I think we stayed there two days and then we came on back, straight through back.

Q. Let me ask you this, you say you took Marie down to the place where she registered, what place was this?

A. It was North Hollywood. I used to go down there occasionally. I went down there one time to - I seen an ad in the paper, they had recapped tires on sale or something. It was right next to this registration office and I subsequently purchased two tires there or something.

Q. Was this a Board of Elections place or was this a place where one of the candidates had his headquarters?

A. I think it was a registration place. I have never registered to vote. I don't - I'm not familiar with that. But I assumed that you go in the place to register. Anyone can register for anyone you want to.

MR. GANNON: Had you been in this place before you had took her there?

A. No. I had never been in there. I did go in there that time though, because I went next door to purchase, purchase these tires and I can't, they were busy at that time and she told me to come back the next day or something and I went and looked for them, I went and asked them if they were ready and they said -

Q. You hadn't been in the place you had been next door

looking for tires, is that the idea?

A. I had never been in that registration place, no. That was the first time I had ever been in there. There's a sign on the - There's a large sign on the front, registration, something of this nature.

MR. LEHNER: Well, had you been to a Wallace campaign place in Los Angeles?

A. No. That was the extent of my - I think that was the place there that's been, at least where I read in the book, that was the extent of my going in any political headquarters there. I had Hanes, you can ask me more on this later. I had Hanes check up on this other deal and he said something about some senator in California, I can't think of his name, but anyway, he got beat a couple of years later. But that was the one that the Stein woman was trying to make some contact with or something. He was a Republican and he was, he had a law office in Los Angeles, but getting back to your question.

Q. In Los Angeles, did you go to a Wallace Campaign Headquarters or was this a story?

A. No. When I first came there, that was my only contact with any Wallace - When I first came there I was looking for a - some type of cover - some type of front for me to stay in Los Angeles for however long I stayed there, particularly if it was four or five months. And I think I called this Wallace Headquarters once and asked them something about how long they were going to be there or something. And what I was going to do, I had all Alabama identification. If I was

stopped by the police, well, I would just say I was associated with this Wallace group out here in some manner, but I found out that they probably wouldn't be there very long, so whenever I'd apply for a job or dance school or anything, or bartending school, I'd just tell them I was some sort of a entrepreneur out of old Mexico, and I was trying to go into business in Los Angeles somewhere in some manner.

Q. I'm not quite clear with what you say, you had some contact with the Wallace Headquarters or not?

A. When I first, when I first came there I was, I thought maybe that would be a good cover because there was something in the newspaper about it or something, and being I had Alabama identification I didn't, I think I called this organization and asked - I was trying to find out how long they were going to be there or something, to the best of my recollection it was not too long.

Q. You called them, did you actually visit them?

A. No. I never did visit them. I just called them on the phone.

Q. So your only contact with Wallace, the Wallace campaign was a call on the phone?

A. That's it, a call on the phone.

Q. Did you ever sign any petition for Wallace?

A. No.

Q. To your knowledge, did Marie Martin, or Charles Stein or the other Stein sign any petition for Wallace?

A. I don't know. If it was a petition I think it was

a registration. I think Stein did.

Q. Stein did or didn't?

A. I believe he did. That's the reason I went in the place in the first place. I met, I went to the tire shop, I came back and they wasn't there. I think it was him, Stein and her, and when I got - When I went to this polling place, this registration place Stein was arguing with them about coffee or something, they didn't have cream or sugar in their coffee. He'd been arguing with them for five or ten minutes about that and I asked them if they were ready to go and they said yes, and I don't know if I went to the car with them or if I went back later on.

Q. This registration place was this a place that was a Wallace place or was it for all candidates?

A. Well, I didn't make no assumption, but I assumed from the knowledge now, that you can register for anyone, any of these particular places.

Q. Was this a place that Wallace had setup, a place that had Wallace's picture or Wallace name on it, or something like that?

A. I think they had the name. I think Wallace was the name on it. I think they was some registration on it or something I remember the name, the registration is about the only thing I recall specifically about it.

Q. Had you encouraged Stein or Martin to register for Wallace?

A. No. I didn't encourage them. I didn't care one

way or another. As far as my personal opinion, now not at that time, I'd just assumed he couldn't be any sorrier than the rest of them, but I wouldn't have spent any effort or money or anything like that, to, to promote one of them versus the others.

Q. That is your opinion now, what was your opinion then?

A. Well, I didn't give it much thought. If I'd have give it much thought it would be the same as it is now.

MR. GANNON: Did you drive Charles Stein along with the woman down there?

A. No. I think there is another - I don't know. Yes. There was another woman too. Now, I don't know who she, I think she was Stein's sister, but -

Q. Did you take all three of them to this registration place when you were going to the tire place?

A. No. I just drove by there. I didn't take them there. I parked on the street and they went around to the registration place and I went to - I think I parked in a real small street, I went to the registration, I went to the, what it was, I think it was a JNR or Firestone place. And they went around there, but I didn't go around with them or anything like that.

Q. So you let the three of them out of the car and they went to the registration place and you went to the place where you can get some tires?

A. Yes. These places are all real close together. I don't think they is a half a block separating where I parked

from the registration place form the used tire -

Q. Were the other two going down for the same reason that Marie Martin was going down there, that is to register in order to get some, so that they could go to a politician sometime and say, here's this woman's boyfriend who is a good guy, can you do anything to help him get out? Is that the reason?

A. This took me completely by surprise when Stein and this other lady came along. I thought it was just Marie Martin. I didn't know, the fact is, I think this was the first time I ever seen Stein.

Q. But you didn't know the reason why Stein and his sister were going along with Marie Martin?

A. No, I didn't. I knew Martin, I never -- Well, as I mentioned I never had any conversation with the woman before that Stein -- I don't think, I may have seen him one time in the bar but I didn't, he was -- I know I always strike up a conversation with him without somebody, you know, running in on me.

Q. How long was this before you agreed to make this trip to New Orleans?

A. Well, I had already decided that it was necessary to make a trip to New Orleans before I took them down there. This came up in a general way. I think I mentioned this to the Martin woman, that I was going there and she asked me something about would I pick up a certain party.

MR. LEHNER: Why don't we cut here for a little break for our stenographer and take a couple minutes to stretch.

april 29 1972

Mr. James H. Saxon
 att. at law
 Wash. D.C.

Dear Jim:

The House committee investigating
 the King Case wishes the hand-
 written material I gave Hume
 to write his book.
 also, I need the papers
 for defense purposes,

please give these papers to

Mr. Robert Lehrer
 House Committee on Assassinations
 Wash. D.C.

S/ James E. Ray
 65477
 P.O. Box 72

MR. LEHNER: Okay, it is now 12 minutes after 12 and we are on the 30th of March today.

MR. GANNON: I believe today's the 29th.

MR. LEHNER: Okay, I'm corrected, it's the 29th of April. I missed a day and a month, 29th of April, 1977. We have the year right and we are continuing our interview with James Earl Ray.

On the trip to New Orleans with Stein, did he make any phone calls?

A. No. He didn't have any money.

Q. Did you make any phone calls?

A. As I recall, two.

Q. And what were those phone calls?

A. What were the two? To Jerry Ray.

Q. And do you recall where you were when you made those two calls?

A. Well, a long ways from Los Angeles. I would guess in New Mexico or Arizona.

Q. What were the purpose of those calls?

A. I just called him -- I think I called him once probably and he wasn't there, and I just wanted to tell him I was all right and, of course, I didn't want to call him from California. There was no significance in the calls. They weren't of no importance, just saying that I was -

Q. Why did you not want to call him from California?

A. Well, there's the possibility of tracing the call or something of that nature. The police finding out the

general area I was living in.

Q. What did you do in New Orleans, on that occasion?

A. The first, the first thing I did was check into a motel. Stein found it for me. It was about 9 blocks from the French Quarter.

Q. What name did you use?

A. Galt, it was a motel.

Q. And, of course, that was the name that Stein and Martin knew you as, Eric S. Galt?

A. Yes, that's correct.

Q. Or Eric Galt?

A. Yes.

Q. And do you know the name of that motel that you checked in, in the French Quarters you say?

A. No. I can't recall it now.

Q. Why did you stop there, for any particular reason?

A. For that motel, well, Stein - I asked Stein if I could ^{get} a motel somewhere in - or a hotel somewhere in the business district of New Orleans, or right on the edge of it, and he said he was familiar with the town and he recommended that motel, and he showed me where it was at and all.

Q. The time you told Marie Stein that you were going to go to New Orleans what was your reason for going to New Orleans that prompted you to tell Stein about it. I'm sorry, Martin, Marie Martin.

A. What prompted me to go to New Orleans?

Q. What prompted you to go to New Orleans?

A. Well, I'd had some contacts with this telephone number of Raoul, not Raoul but another party. There was some suggestion that I should, I could come down there and discuss something with them at that time I was, I decided I would because I didn't want to preclude anything of getting a passport, not only a passport but at that time I was interested in the money too.

Q. Well, what number was this that you called?

A. The New Orleans - That was the new number, I was given that in Mexico. It was a different number.

Q. Which number was this?

A. Well, the last number, well, the number was 7557 or 57, the only thing I recall was the last four numbers.

Q. Which were?

A. Well, I got them wrote down, but I don't know what they are. I think I gave them to Mr. Evans here the last time.

Q. Do you recall them now, those last four digits?

A. I recall them, probably the same reason I recalled them before. I don't, I recall there's two 7's in them, but I don't recall, or there's two 7's and a five, but I don't recall the other numbers.

Q. There's two 7's and a 5?

A. I'm pretty sure there is.

Q. And when you went to New Orleans where were you suppose to meet Raoul?

A. No particular place, I just, after I rented to room in the motel I called this number up, this one here, and they asked me where I was located at and I told them and they gave me

directions to come to a bar there on Canal Street which was not too far from the motel, and I think, I think it was the Love Bunny Lounge, I believe that's the name of it.

Q. What's the name of the lounge?

A. The Love Bunny or the Bunny Lounge.

Q. When you say they gave you instructions, who is they?

A. Well, he, he, this one individual.

Q. Who was this individual?

A. I don't, I have no idea.

Q. Did he have an accent?

A. No.

Q. Was he the same person that you spoke to each time you called New Orleans?

A. I believe so, I'm not positive.

Q. Was he the same person you spoke to when you had the first New Orleans number?

A. Yes.

Q. How do you know it was the same person?

A. Well, I'm not positive, but it sounded like it.

If I had to say yes or no I'd say yes, but I couldn't be certain of it.

Q. How would he refer to Raoul, would he call him by a name?

A. Yes. He wouldn't refer to him, I would just say I was calling him and give him my name and ask if, make inquiries about Raoul and that type of conversation and he would give

me a message or something of that nature.

Q. Okay. Did you go to this Bunny Lounge on Canal Street?

A. That's correct.

Q. What happened then?

A. Well, I don't remember all the details of the conversation. I think I went in there. I got there first and he came in there later and - You want all the details of what conversation we had?

Q. Yes, please.

A. Well, there was conversation about the - I know my complaint was I'm short of money and things like that, which I was to a certain extent. And I talked him about - That was the first time the guns come up, going into Mexico and that type of business.

Q. What did he say about that?

A. Well, he suggested that we do it and this would be the last time and it would be considerable amount of money for me, 12 or \$13,000, and it was mentioned about Cuba, possibly I could go over there and get a passport and that - there was no extended conversation there and I just mentioned I wasn't interested in that. I would be, I would probably be interested in the money and going into Mexico again and I mentioned that - complained about the money again and I did get \$500, and shortly after that I went and looked up Stein again and that was the extent of the conversation.

Q. He gave you \$500?

A. That's correct.

Q. And what did he say you were going to be doing to earn that \$500?

A. Well, I assumed that would been a down payment or something.

Q. What did he say your next job was going to be?

A. Well, the impression I got, nothing was ever specific, but it would be taking some type of military equipment, rifles or something into Mexico.

Q. When were you suppose to do that?

A. There was no date set at that time.

Q. And when did he say to next contact him?

A. I think he just told me to keep in contact with him on the phone or something, and something would be worked out later on.

Q. Did you tell him you were at the St. Francis?

A. Well, no, not at that time. Well, I wasn't at the St. Francis at that time.

Q. Where were you at that time?

A. I was at the Serrano Street and he still had that address. I think I mentioned that I might move and that if I did I would leave a change of address and subsequently I -

Q. Did he tell you where again you were going to next meet him?

A. No, other than that phone number in New Orleans, there was never -

Q. Was there any mention of Birmingham, Atlanta, Memphis or any other city during that conversation in New Orleans?

A. No. I think later by phone or, it must have been by phone, there might have been some mention of Atlanta, I'm not positive of it, but at that time there was no other than New Orleans, there was no mention of any other city.

Q. He was just trusting you with the \$500?

A. Well, I assumed it was a down payment for something illegal. I don't think it was --

Q. Did you discuss leaving the country with him?

A. Well, he discussed, he brought that subject up more or less, about, the passport and things, but I assumed that was a con job.

Q. What did he say about the passport and things?

A. Well, there was some, it was mentioned about the money, I think it was 12 or 13000, plus a pass -- going to Cuba somewhere, of course, he didn't press, press that, I mentioned I'd rather have the passport and go, I don't know if I mentioned it, but I mentioned something. I don't remember mentioning the details, but I think I probably told him that I would decide where I would go or something of that nature.

Q. You had not decided?

A. I say I would decide.

Q. Did you tell him you were trying to get out of the country from California?

A. No. I never told him.

Q. But he realized that you were trying to get out of the country, is that right?

A. Well, I think he was, I think he was, thought I was

relying on him, of course, I wasn't relying on anyone.

Q. So he thought the \$500 was money well spent because you - he didn't realize that you were trying to get out of the country from California, and that he realized that you, and he thought that you were depending upon him for passage out of the country?

A. I would assume that, I don't know. I would assume if I was dealing with someone eight or nine months and he still couldn't come up with any results to leave the country that he wouldn't have too much of a chance to make arrangements for a passport independently, the person I was dealing with.

Q. How much money did you have apart from the \$500 that he gave you?

A. At that time?

Q. Yes.

A. I would say about \$1500 probably.

Q. Were you making any efforts in California to get out of the country?

A. Other than the ones I mentioned to you, I don't know, there may be others, but I can't recall them. Other than the pass - other than the Coast Guard, Columbia, possibly Brazil; I read something about some character that went to Brazil, a fellow named Barroe, Barell; but, Rhodesia and --

Q. But what effort did you make to get to Columbia where you did not need a passport as you relayed it?

A. Well, there was a money problem there, and that's

one of the reasons I wanted money because if I went to South America I would have to have more than a thousand, two thousand dollars because, whereas if I went to Australia or Rhodesia or England, somewhere, why it is a lot easier to get a job in an English speaking country.

Q. How much, well, did you make any inquiries as to how you could get to Columbia from California?

A. Well, I read this in the paper out there, I'm almost, I probably, I don't think I went into any depth anywhere. I just knew I could get there on a visa. But I think there was a money problem at that particular point and I'm, I'm almost certain that I wouldn't go to a country that I wasn't familiar with the language short of money. For instance, I would have stayed in Portugal if I would have had sufficient funds, but if you are not converse in a language you feel more or less lost, especially where you are looking for a job and things of that nature.

Q. How long did you stay in New Orleans on this stay this particular stay when you were there with Stein?

A. Well, I was ready to leave within four or five hours. I think we stayed two days.

Q. The day that you saw Raoul was the same day that you arrived, or you arrived in the nighttime and saw him the next day?

A. Well, I think it was, I think it was, it may have been that day or the next day, I'm not positive now. See, Stein, he took me to the, we went to the motel, I'd probably have to

look up them papers, but I think -

Q. What papers?

A. I think the ones I gave you. I think it was the same day. I have a clear recollection that I was ready to leave shortly after I got down there.

MR. EVANS: You met him at the Le Bunny or the Bunny Club?

A. That's correct.

Q. Do you want to go into that, how did that come about?

You went to the motel first and then you went to the club or you went straight to the club?

A. Well, did I go straight to the Club?

Q. Yes, in other words did you check into the hotel or did you go to the club first?

A. No. I checked in the motel. I know that, but what time and all it was I'm not - I'm not too familiar with because I hadn't slept for about thirty-three hours. But I think I'm almost positive it was the same day, but I have no idea what the time it - what time of day it was.

Q. Time of day?

A. Except I think it was in the afternoon, but I can't, I can't be positive of that.

Q. Well, after you got to the club did you call, I mean, after you got to the motel and you checked in, did you call the club to let him know that you were in town, that you would be there and what particular time you would be there?

A. I called the phone number, but I called it after

I checked into the motel there but I didn't call from the motel they had a phone in the motel but I didn't, I'm not sure where I called from. It was probably a phone booth, it would have been a phone booth but I have no idea where it was at.

MR. EVANS: All right. And what were the - what - how did the conversation go, what did you say, what were your replies?

A. Well, I give -

Q. What were their replies?

A. I give them a name of Eric Galt, I just, I mentioned, I said this was Eric Galt and asked if Raoul was there, and he said if I could contact him - and there was some conversation about well, yes, at a certain - They asked me where I was staying at and I run down the address and give them the address of that, I don't know if I gave them the address, but I gave them the location of it or something and then he asked me to meet him at this Le Bunny Lounge, I think it was, and then I went down there and that was it.

Q. Was the phone number that you called, was that the Love Bunny Lounge?

A. No, I don't think so, but I think later on I had some poeple check the Le Bunny Lounge and various pawn shops in that area and everything, and none of them corresponded to that number there.

Q. Okay, all right. Now, you told them to expect you or they instructed you when to be at the Le Bunny Lounge?

A. That's correct.

Q. What time did they say for you to be there, do you

recall?

A. Well, it was not too long after I called them, but I don't know, I can't recall the exact time, I think it was some time in the afternoon.

Q. Was this before you had gone to sleep, you had just driven from L.A. straight through, right?

A. That's correct.

Q. Without stopping?

A. That's correct.

Q. And you checked into the motel, right?

A. That's correct.

Q. Did you want to take a nap or did you want to clean up or did you want to rest, or you just went right over?

A. Well, I had to get the motel because I asked Stein where the motel was, I guess I could have found one on my own, but I wanted to get one in that general area downtown. And, I don't know if you ride in a car 33 hours, I think you kind of cat nap but its not really rest. We didn't stop at no - We didn't stop to make any rest, we stopped at a restroom or something, but there was no sleep or anything except maybe an hour or so in the car and this was a small car.

Q. Did you drive the entire distance or did Stein spell you?

A. We drove about half and half.

MR. EVANS: Half and half, okay, so it would be reasonable to say that when you did get to the motel that you were sort of fatigued?

A. No doubt about it.

Q. So what was said that would make you go over there rather than to rest?

A. Well, just to get the business taken care of, you might say is the only thing - What I'm - What is sort of queer is that, well, the queer part was that Stein, I know Stein he recommended the motel and I checked in and I'm almost positive that the first thing I did was make the phone call after I checked in there, I didn't, I didn't - And then I think the next day I think is when I was ready to leave. I think I seen Stein the next day, but now Stein he's testified to this too, but I'm just trying to - I'm kind of hazy.

Q. But as you recall you went right over after you got there?

A. Yes. When I first got there.

Q. Had you been to the Le Bunny Lounge before?

A. No.

Q. How did you go about locating it?

A. Well, he gave me directions and I think it was on, he said it wasn't too far from where I was located, at, and I went to - down the main street, Canal Street, and I found the address and it's easy to find and I think I was - Well, it wasn't isolated, but it's not downtown New Orleans, I think it was close to the river front.

Q. Okay. Can you give me some idea as to what the interior looked like when you got inside?

A. Well, see going towards the river front I think it would be on the left side, the lefthand side of the street,

but when you go in the bar is on the left and I think it has, it was kind of dark, especially in the back, and they had booths or something on the, on the right and I know there was, part of the bar protrudes and I think there was a round shape protrusion in front of it, but that is about all I can remember other than that I think they had a female bartender.

Q. All right, was the place crowded, was it empty, who was there?

A. No, there was very few people in there. I wasn't in there too long, but I got the impression that that's another seamen's hangout or something.

Q. Well, when you asked the bartender for Raoul, what did he do, did he direct you to the back or to the front?

A. I didn't ask the bartender.

Q. Oh, what happened?

A. I sat in there for, I don't know how long, 20 or 30 minutes and he came in. I didn't --

Q. Raoul came in?

A. Yes, there was no, I didn't ask the bartender - the barmaid or anything, anything about him, any names or anything.

Q. Was this a, did they have a bandstand, a restaurant/bar?

A. I don't believe it was any restaurant. The only thing I remember about the - I think the front of the bar had a protrusion and I can't recall if there was any, I think it was just the average bar, nothing -

Q. You sat at that bar, the booth, or table?

A. I sat at the bar.

Q. At the bar -

MR. GANNON: About what time of day was this?

A. I really don't have any idea, but I think it was in the afternoon. I can't recall what time we got there.

MR. LEHNER: Did anything else happen in New Orleans? Did you contact anyone else, did anybody else see you there that you know of?

A. That I know of? No, I didn't contact anyone.

Q. Did anyone see you and Raoul together?

A. Well, the barmaid in New Orleans. The barmaid in this tavern did, but he came and left, but I was still in there so -

MR. GANNON: Did she appear to know Raoul as though he were there regularly?

A. Not to my knowledge, no I never, I don't recall too much about her, she - Barmaids were all alike because they -

MR. LEHNER: What can you tell us about her?

A. Nothing, I wouldn't recognize her if I saw her but I would recognize the interior.

MR. EVANS: Was she attractive, unattractive?

A. Well, Usually barmaids are not attractive or unattractive. I think they are inclined to be, I guess if you seen one you have seen them all, I think that's -

MR. EVANS: Seen them all.

A. Yes.

Q. How long were you in the bar before Raoul came in again?

A. I think about 15 minutes.

Q. Fifteen minutes, what did you have to drink?

A. What did I have to drink?

Q. Yes. What did you order?

A. Well, it was most likely whiskey.

Q. Whiskey.

MR. GANNON: You said before that you had some people go down there and check things out this phone number and you mentioned bars and you also mentioned pawn shop places, was there any special reason why you thought maybe a pawn shop might be associated with this thing?

A. Well, that's one reason why I found, I thought I found the first three numbers of the, of the phone number, usually a pawn shops, pool halls, and bars are criminal elements hangouts, so, I did send a - I don't know if I still got all these pawn shops and everything phone numbers, but I originally got the numbers from the directory of various pawn shops in that immediate area, and got all these numbers in the immediate area, but none of them corresponded to the number I, the last four numbers I had.

Q. Did Raoul ever say anything to you which suggested to you that he was associated with a pawn shop?

A. No, but I know from personal experiences that pawn shops, pool halls, and bars are - while they might not be criminal they are somewhat suspected habitats.

Q. They might handle some things that people don't have rightful title to, is that possible?

A. Yes.

MR. LEHNER: Well, could you tell us of anybody that saw you together other than this barmaid?

A. In New Orleans? I think it was just two or three people in there. They were sitting in front, I recall they were sitting in front, we were sitting about the middle of the bar, and I believe after they left there I heard, overheard, some of their conversation or something.

Q. Do you recall?

A. No. It was something about the - Something about they were involved in the Merchant Seamen somebody said something about he'd been somewhere or something. I didn't join in the conversation I just, it was close to the river I think.

Q. What did you tell Stein as to your reason to go to New Orleans?

A. I don't know what I did tell Stein, I think I told him I had some type of a business, but it really wouldn't be important because I could have told him anything I think. I think - Are you talking about Charlie or the woman?

Q. Well, the woman is Marie Martin.

A. Is that Martin - Yes, her name is - Well, I'm not adverse in all these names.

Q. Well, let's go to Marie Martin, what did you tell her?

A. I think I told her I had some business there or something, and Stein I don't know what I told him, probably nothing.

Q. But you told Stein you were ready to go and he

asked to remain, is that correct?

A. Yes. I think I slept overnight and I asked him the next morning for, but of course I had done paid the motel bill. I wasn't going to leave after paying the bill, and I think - I think I told him, the next morning I went and looked him up and he wanted to stay two days or something, but I'm kind of vague on this.

MR. GANNON: Had you already checked out of the motel when you went to see him?

A. No.

MR. LEHNER: Did you get your car serviced in New Orleans?

A. I don't believe I did.

Q. Did you get it serviced in Los Angeles before the trip?

A. Yes.

Q. When do you recall getting your car serviced in Los Angeles?

A. Before I left?

Q. Any time during the Los Angeles stay?

A. Well, I went one time in Los Angeles, I got the car serviced. One other time I had trouble with the battery. I had some other minor trouble, but I can't recall what that was. I think it was a -- all of these are insignificant.

MR. GANNON: How was that Mustang on gas?

A. I would guess about 20 miles to a gallon.

Q. On the way back did you make any phone calls to New Orleans or to L.A.?

A. No I don't believe so.

MR. EVANS: Did you use the same service station, did you have a particular station you went to with troubles or to gas up?

A. No. I didn't have no - I never went to the same place twice. I didn't like to make a habit of getting seen and recognized and all that. I usually go to another place. And particularly in Los Angeles it's scattered out quite a bit and some of these places you go to, for instance, where I bought the tires was on one side of town and the dance school was the other, and the hypnosis place on the other side of town. So I never made any practice of giving business to one place. I had some recollection now of getting some stamps somewhere several times, but I don't know if I did that I must have been going to a certain station that put out these stamps, S&H Green Stamps, whatever you call them.

MR. GANNON: Did you ever cash them in like in a department store or something like that?

A. Well, I just to have a vague recollection of that now, but I can't, I can't pursue it any more but I think I did at one time. If I was probably short of money or something I might.

MR. LEHNER: Now, your purpose in going to New Orleans was to get the \$500, is that correct?

A. Well, that was my purpose, but after I got down there I made a strong pitch to get the \$500. I didn't ask for no specific amount, but that's what I got.

Q. Well, what was your purpose for going down there?

A. Well, whatever is available I suppose.

Q. In the way of money?

A. Yes.

Q. Well, why didn't you ask for a particular amount?

A. Well, I don't know, I mean, that's - I don't believe that is something you can do if you were asking somebody for money just based on your past possible criminal association, you wouldn't ask for a certain amount, you got what you could get and you might ask for a little more, but, which I didn't do, but I can't, I can't explain that.

Q. When you came back, how long did you stay at Serrano until you went to the St. Francis?

A. Well, I went there in December probably for three more weeks I suppose.

Q. When was your next contact with Raoul or the phone number in New Orleans?

A. After I came back?

Q. Yes.

A. I think the next contact, he contacted me by letter.

Q. What did he say in the letter?

A. It was a short note, something about calling him and I know that the letter was forwarded from Serrano Street and I left a forwarding address with the mailman.

Q. What happened to that letter?

A. I have no idea, I guess it was burned up or something.

Q. When did you burn it?

A. I have no idea of that either. Probably a short time after I received it?

Q. What did the letter say, just to contact him?

A. I think there was some mention of the date or something, but I can't remember all the details on that. Although, I have them written down somewhere.

Q. Where were you living at the time where you had the incident where you had the fight in front of the bar?

A. Serrano.

Q. What did you loose in that fight?

A. You want me to go into detail?

Q. Go ahead.

A. Well, I use to stop in this particular bar, usually before I went to the dance studio, I would come in to rest or something. I'd take no more than two or three drinks and I'd leave. Now, this particular night there seemed to be more of a diverse clientele in there than there usually are, for instance, I think it was later, I think it was 10 or 11 o'clock. I usually go to the place, usually go in there 6 or 7 or 8, it was 6 or 7 o'clock, and I parked the Mustang. Now, this establishment sets right on Hollywood Boulevard, which is one of the main streets, plus it runs into side streets. It sits right on a corner, well, I parked the Mustang directly across the street from it on a corner and I went in there and I usually didn't have too much conversation, and there was a lot of arguments in there that night, and some, there was some, I guess people seen my car out there in the street too, because as I mentioned it had Alabama

license on it in bright red and all that stuff, and I don't know whether they seen that or they might have inferred it from my accent which was, while not southern it wasn't Los Angeles anyway. But, anyway, there was some mention about Alabama and the racial problem down there and all that, and so I, I didn't want to argue about it and there was some other fellow, and, this was a woman that that this conversation took place, and there was some other individual there, he was talking about something, something wrong with the government and he talked to me about - Well, he talked - Well, I didn't talk to him he talked to me about all the problems with the government and it wasn't exactly a hippy joint where you would consider - where you would look for this type of conversation, but I guess it wasn't what you call a square place either, so anyway, I tried to avoid these arguments, so I started to leave. I know I left and I got right outside the door and I started to round the corner and I was going to cross the street, so they must have grabbed me pretty close out of the door. One of them grabbed me from behind the, the tall one and the short one started hitting me. Well, the short one was the more or less the aggressor and they had my, they had me from behind and he had ahold of my coat someway and I slipped out of my coat and got away from him, but I ran across the street. I was going to get in the car. I had my .38 in it and at that time I was going to get an equalizer, but anyway, but apparently when I got out of the car I dropped my car keys in my pocket and the car keys, they probably, they got the car keys evidently and they - I think they pulled my watch off. I know I had to buy another watch the next day, a cheap one, and after this thing --

After I couldn't get in the car I run across the street. I run up to a church yard and stayed there a few minutes and then I went to -- The police didn't come around so, so, then I went up the street and cut back across the street and come back down on the same side of the street that the tavern was, and there was a house right beside the tavern and I stayed beside this house in the dark and stayed there until daylight, and at that time I was kind of dirty because I was - I got dirty somewhere back behind this house. So, anyway, the police never did come to pick up this car and the next day I went to a locksmith on Hollywood Boulevard. I'd say it was about 49 hundred block and asked him if he could - I told him I had lost my car keys and if he could fix them, and he said, he mentioned something about he was originally from Tennessee. So, he took me up there in his truck. I think it cost me \$10 to get a set of keys made and it took 15 or 20 minutes, and then I went to another place and bought a cheap watch and that's it.

Q. Did you loose your wallet during this episode?

A. No. The only thing I lost, I didn't even lose my - I had my wallet and my money and the keys to the rooming house, of the Serrano Street address in my pocket. I didn't lose any of the keys to the rooming house or wallet or the money.

Q. Did you have a driver's license with you under the name of Galt?

A. At that time?

Q. Yes.

A. Yes.

Q. Did you have a registration for the car?

A. I had a - Well, in Alabama you have some type, it's not a title, but yes I had it.

Q. Now did you lose either of those?

A. No.

Q. Have you heard of anything to do with the fact that a duplicate driver's license was issued for you?

A. I read something in the paper about it was issued to me, but I don't recall. I got these vague ideas that I may have ordered two of them or something, but that wouldn't make much sense, but if I'd lost the driver's license I'd have most likely lost the registration, but I just can't recollect losing it at that time. The only thing I clearly recollect is the watch and the keys which I replaced the next day.

Q. How many sets of keys did you get from the man you bought the car from in Birmingham?

A. I got two from him.

Q. Where was the other set of keys?

A. I gave them to the individual called Raoul.

Q. Did you think of calling New Orleans to get the other set of keys rather than to go to the expense of getting a locksmith to come to the car?

A. Well, you can't leave the car sitting on the street all that time. I didn't know how long it would took to get another set of keys assuming I did get them, but I think it would have been a lot easier to have someone make you a new set.

MR. EVANS: Why did you think the police were going to pick the car up?

A. Well, we were fighting in the middle of the street. Usually the police come around and they see these Alabama tags they very well could have pulled it in. But, of course, I don't know what the rules were, parking in the street at that time. So, I just watched it until daylight.

Q. Well, what sort of fight was it that you thought the police would respond and pick up your car since you were perhaps the victim?

A. Well, I got rolled on the main street. The cars were going by and the people were -

Q. Yes, but what does that have to do with your car being parked?

A. Well, I imagine the police investigated, they would probably come in the tavern or something and ask about the car and the person in the fight and everything.

Q. Well, how many people in there knew that the car was yours?

A. Well, this young lady she mentioned, she was kind of abrasive about politics. I don't know if they assumed the car was mine or they saw the tags on it and they assumed that I was from a southern state. Well, they did know it because I actually started arguing about it. I, I admitted that I was from Birmingham and it was enough circumstantial evidence that I didn't want to take any chances on that.

Q. Well, during this whole encounter had you done any-

thing that the police would have arrested you for or would have wanted to seize your car for?

A. Just from fighting?

Q. Yes.

A. Well, they would have finger printed me, I was concerned about being finger printed not anything else. I don't know what the police practice is in Los Angeles. I think it varies from city to city, but a lot of times you can get finger printed just on a traffic violation.

Q. Well, I mean if you are a victim, you are obviously a victim of a crime, why would they want to finger print you?

A. Well, I imagine they usually question a victim of a crime.

Q. Right.

A. I think the fact is I read in a paper where a lot of victims after a crime windup in jail.

Q. Well, the point I'm saying, this is the point I'm making, if it occurred as you said it occurred, well, then I don't see how they could have possibly wanted to arrest you if two guys came out and pulled your coat down over your arms and began to assault you and robbed you of whatever items you had in your coat pocket. I don't know why they would have wanted to arrest you?

A. Well, I don't know either, but they very well might have told them that I was trying to rob them or something, you know how feelings get in a situation like that.

Q. Oh, this was just a feeling but there was nothing

that occurred that you might have done or might have said that would have made them think that you should have been arrested and finger printed, in other words was there anything said in the bar?

A. No.

Q. Were there any people in the bar that might have felt or might have put you in a bad light so if the LA police, if they arrived might have wanted to arrest you or taken you in for identification?

A. No, other than me being out of State and having some problem explaining my business out there. Except that I was in business in Mexico, it would have been, well, I just really would rather play it safe on anything like that.

Q. Okay, I see.

MR. LEHNER: When did you next decide to leave Los Angeles?

A. When did I decide? Well, I decided to leave some time in - I got a - I think this was a result of a phone call of me making to New Orleans I decided.

Q. As a result of the letter sent to you?

A. Yes. This was, this was a result of a phone call.

Q. And you called them?

A. Yes, I was more or less the instigator of Los Angeles.

Q. Well, this was a result of a letter that was sent by Raoul to you?

A. That's correct.

Q. You then called him and what was that conversation over the phone?

A. Well, there was some, I know there was mention of me to go to New Orleans make contact there. I don't know if there was any - I have some recollection, but, of course, then again I'd have to see the paper on this. I have some recollection of a little more detail in the phone call than I usually got, but I don't know other than going to New Orleans, I don't know if there was any mention of possibly going somewhere else or not. There was mention of Atlanta but I don't know when that was first raised. I don't know if it was Los Angeles or where. I know it was raised in Birmingham. I'm not certain on that.

MR. GANNON: How did you mean a little more detail than the usual phone call?

A. I don't remember all the conversation but I just have a recollection it was more detailed about what I should do and when I should do it, and I think there might have been more than one city mentioned. There might have been mentioned more than Atlanta. I know I know I wasn't, it wasn't definite enough where I would pull up roots altogether so to speak. While I don't file a change of address, I knew it wasn't anything that strong but I think there might have been some mention of going into another town from New Orleans or something like that, some extended trip.

Q. Well, you certainly got travel instructions. Did you get any other kind of instructions?

A. Well, other than making contact with New Orleans, no. There was a certain date I was suppose to be there, I was late.

MR. LEHNER: What date were you suppose to be there?

A. Whatever, I don't recall now. Whatever it was, it was no, we agreed on it. I believe it wasn't no really - Well, it wasn't something that had to be done, but it was something that was preferable. I know I was late. I think I was a day late or something.

MR. GANNON: What month was it?

A. This was in March.

Q. Was it toward the end or the begining of the month or where exactly in the month?

A. Toward the middle I believe it was.

MR. LEHNER: Did you take all your possessions with you?

A. I think I did except the television set and the weights. I think I left them with this Marie Martin, yes.

Q. Did you ever get them back?

A. No. I think I traded the TV and told her she could have it if she wanted it or she could trade it back later, I don't know if - I know I left the weights down there and I don't know if I left anything else or not.

Q. The weights you left with Marie --

A. Yes.

Q. - you haven't gotten those back?

A. No. I never did go back after them.

Q. But as far as the TV you traded that TV for what?

A. For another one.

Q. And you took that TV the small one or the other one with you?

A. Yes, that's correct.

Q. Well, this was a different trip than the first trip to New Orleans, when in the first trip you left all your possessions there, is that correct?

A. Yes, I didn't know if I was coming back on the first trip, but, of course, if I had gotten a passport and - Well, naturally I wouldn't have come back, but it wasn't, I was almost certain I would come back the first time because well, these kids, these children I'd promised to bring them back.

Q. Well, did he tell you in this phone call on the second trip that you were definitely going to a particular place?

A. I have some recollection that he mentioned another town and it could have been Atlanta or something, but there's more detailed instructions than there was in other times, the other time it was just an exploratory talk, the first time.

Q. Okay, why don't we take our lunch break now.

(The time was 12:59, p.m.)

MR. LEHNER: Allright, we have started our recording machine, it's the afternoon of April 29th, 1977 and we are continuing our conversation with James Earl Ray.

Before lunch we were talking about the trip you were taking to New Orelans which whould be the second trip, and at this time you were taking all of your goods except your barbells.

You had already exchanged the TV sets, what were the reasons for exchanging the TV sets?

A. Well, the other one was a console.

Q. So you exchanged it for a, for a portable?

A. Yes.

Q. And this time you were intent on going to New Orleans for a particular purpose?

A. Yes.

Q. What was that purpose?

A. Well, I - It was a certain assumption based on the past, on the other conversation in December and I assumed it was for the, this weapons deal

A. Did he say on the phone, the man you spoke to that it was a weapons deal or anything?

A. No. There was nothing mentioned like that on the phone.

Q. Did you speak to Raoul or the other fellow?

A. The other fellow.

Q. What did he say?

A. Well basically it was where, when to be there and things of that nature, the meeting place.

Q. Where did he say the meeting place would be?

A. New Orleans.

Q. Where in New Orleans?

A. There was no specific place. I think I was supposed to call when I got there.

Q. And did you go by yourself?

A. Well, I took some packages for another party, but I went by myself, yes.

Q. Who was the person that you took the packages for?

A. I think I told Marie Stein, Mary Martin a few days before that that I was going to New Orleans. She asked me to drop something off at an address which I did.

Q. What address was it that you dropped it off?

A. I don't recall.

Q. Did you deliver it to a particular person?

A. Yes.

Q. Who was the person?

A. It was some woman, I don't know her name.

Q. What part of New Orleans was it that you dropped it by?

A. I think - I don't know, I had the address, but I don't know, I just don't recall it was out, it wasn't downtown or anything, it was on the edge of town.

Q. What type of items did you drop off?

A. I didn't even go through them. I think it was clothing mostly.

Q. And what was the purpose of her transporting that, those items to the lady in New Orleans?

A. Well, I had no idea. I just told her that I was going down there. I told her that I'd be back, of course, I thought the possibilities were slim of that. I don't know if I told anyone else or not. That came up in the casual conversation in the bar I believe it was.

Q. Did you ever have any romantic relation with

Miss Martin?

A. No. I never had any.

MR. EVANS: Inclinations?

A. Inclination.

Q. Did you ever want to?

A. I think she had a boy friend. I seen her with the another party two or three times and I think the fact is one time she borrowed 10 dollars off me or something to get his presents or something. She didn't make too much money.

Q. Well, were you going out of your way for her?

A. No. I don't think I went out of the way. I wouldn't have made a trip down there just to deliver some clothing down there, but I just happened to mention casually that I was going in that direction. I don't know if she had any interest in me or not. But, I wasn't, I always considered myself in transit, anyway, I wasn't interested in getting involved with anyone, except in a casual manner.

Q. Did you make the trip in one day from LA to New Orleans?

A. At that time, no, it took longer than that because I stopped at motels along the way. I didn't drive straight through. I think it took, I know I was late getting there. I think it took three or four days probably.

Q. How long did the first trip take from LA to New Orleans?

A. I read somewhere where it took 33 hours. That was straight driving.

Q. That was no - you did not stop for sleep?

A. No.

Q. Where did you stop on this trip?

A. I don't know this motel is on the way between Los Angeles and New Orleans. I can't recall motels. I know it took two or three days.

Q. What names did you use when you stopped?

A. Apparently I used Galt.

Q. Because you had the car with you?

A. That correct.

Q. Where did you go when you arrived in New Orleans?

A. I made the phone call to this party and there was some mention that this Raoul, he went on to Birmingham and there was a suggestion I meet him at the same place, the Starlight Club.

Q. Where did you make this call from where you learned this?

A. I don't know just where it was at. I didn't check into any motel, it had been along this phone booth, a street phone or something and I know - I do know it was getting late in the day and then I delivered this stuff to the Stein woman and that was it.

Q. Well, were you in New Orleans when you made that call that you found out that -

A. Yes.

Q. - that Raoul was not there?

A. That's correct.

Q. In route, did you call the number to tell them that you were being delayed?

A. No. I think I called - Well, I wasn't delayed, it

just took me longer . I didn't think it would take that long to get there or something.

Q. But you waited until you were in New Orleans before you called the number?

A. I called once right before I left Los Angeles and I didn't make any more calls until I got to New Orleans.

Q. Well, was any reason given as to why he wasn't there waiting for you?

A. No. No, there was no reason.

Q. What did the man say when you called?

A. He said he had gone on to Birmingham and for me to meet him at a certain, I think it was the next day at the Starlight Club in Birmingham.

Q. So you delivered the packages and did you stay the night in New Orleans?

A. No. I had trouble finding the address of when, where to deliver the packages to. I delivered those, I believe it was dark, I don't know what time it was and after delivering the packages I stayed in a motel on the outside of New Orleans, between New Orleans and Biloxi, Mississippi.

Q. And what did you do after staying that night, do you know what place you stayed at?

A. No.

Q. What did you do the next day?

A. The next day I went towards Birmingham, towards Birmingham, and I think possibly I got off on the main road although I'm not certain of that because Alabama roads are not in the same condition as some of the more industrial

states. After driving all day I don't know what time I left the motel after driving, however far I drove. I got - I think I checked into - later I found out it was a motel in Selma, Alabama.

Q. And what day did you, what day did you arrive in New Orleans?

A. Well, I couldn't i would be impossible to answer that. I could give you approximately the month, it would be in the let's see, sometime in the latter part of February.

Q. And then you stayed in the motel between New Orleans and Biloxi?

A. That's right.

Q. And what's the next night after that?

A. Mol -- Selma.

Q. Why did you go to Selma?

A. It was getting dark and I checked into the motel called the Flamingo.

Q. Well, was Selma in route between New Orleans and Birmingham?

A. Yes.

Q. Had you ever been to Selma before?

A. No, that was the first time I had ever been there.

Q. And the reason you went to Selma was not because you took the wrong road, but -

A. I'm not certain I got on the wrong road. The road was not, it was a oneway road, in other words, it wasn't what we refer to as a super highway. And I mentioned to Bradford Huie that I may have gotten off on the wrong road and it may

have taken me longer to get there but you'd have to look at the road map to determine whether there was any shorter if way between New Orleans and Birmingham, Alabama/there actually was.

Q. I mean, what you are telling us - What you were just telling me is that Selma is in route between New Orleans and Birmingham and that you did not, you intended to go to Selma to spend the night?

A. No. I didn't actually intend, it just so happened that I stopped there after it was dark. But, I'm not certain the route is, these are the type of roads that they keep twisting around and a lot of hills and things, so I'm not certain that that would have been the shortest distance between New Orleans and Birmingham in fact the next day I got, I was late again when I went through Montgomery, Alabama. I'm still not certain whether I was on the shortest route or not. I can't say at this time.

MR. EVANS: You went to Montgomery, what was the purpose?

A. Well, I had gotten -- Well, I was going towards Birmingham and I'd thought there was probably a shorter way through Montgomery.

MR. LEHNER: Did you have maps of that area?

A. I evidently did, yes.

Q. Did you mark any of those maps?

A. I don't recall marking any, on any road maps, I might on a city map, but I can't recall.

Q. When you say a city map you are referring to what city?

A. Well, Los Angeles or Atlanta or a city like that.

Q. Any others that you can recall marking?

A. I don't recall marking any except possibly a Los Angeles and the Atlanta map, of course, I haven't - the Atlanta map it's been mentioned sometimes in my reconstruction, recollect that.

Q. Well, what about the Los Angeles map, what happened to that map?

A. Well, I think those papers I gave you the last time you were - Now, apparently the FBI has them and eight or ten other maps.

Q. Was that map still in the car when you parked it at Capitol Homes?

A. I don't know where they got that map. They either got it out of the case I was carrying when I was arrested or they got it out of possibly the Atlanta establishment.

Q. Did you have some maps also in the car when you left it or did you take the maps out of the car when you left?

A. I'm almost certain I threw everything out of that car I could throw out except that it was dark when I threw it out so I could have missed some smaller items because I didn't look in the car after, after I arrived, after I arrived in Atlanta there wasn't, I didn't, and got in that parking lot, I didn't shake it down or nothing like that.

Q. And had you ever fixed that tire that you told us before that you tried to get fixed or you attempted to get

fixed in Memphis? Did you fix it after Memphis?

A. I never fixed it, no.

Q. So it had a slow leak in it, is that right?

A. That's correct.

Q. So when you parked the car at Capitol Homes it still had that leak in it?

A. It most likely - I don't know if it went bad when it was, now that it didn't have any weight on it, but it was, now, let me get this tire straight now. I want to, yes, I changed the tire and I imagine, well, I was trying to get straight just whether I took it off or had it refilled the day before that on April 3rd, but I took it off and exchanged it, so, now whether it went down any more after, after I put it in the car I don't know. But it was about I would say 3/5 down when I took it off.

Q. You took it off when?

A. On April 3rd.

Q. But that was in the trunk of the car when you, when you went to that Memphis gas station to get it fixed?

A. That's correct.

Q. And you never had it fixed since then?

A. I never did have it fixed.

Q. So when you parked the car in Atlanta it still had that slow leak to it?

A. That's correct.

Q. Now, was Dr. King in Selma when you were there?

A. I have no idea. William Bradford Huie says he was in that area, but I don't have any independent knowledge of that.

Q. Well, was he in Los Angeles when you were in Los Angeles?

A. Well, I don't know. I read in these books, they said he was there at some point in time while I was there, but I don't know when he was there or if he was there as far as that goes.

Q. Now, what did you do in Selma other than stay at the Flamingo?

A. It was dark when I arrived there, I think I went right on to sleep, there was nothing -

Q. What name did you give at the Flamingo?

A. Galt.

Q. About how much money did you have on you at that time?

A. It is difficult to say. I'd say I'd guess probably \$1500 or something.

MR. GANNON: You didn't pick up any money in New Orleans at this time?

A. No, I didn't.

Q. You didn't speak to anyone face to face about a way of going either, did you?

A. Face to face in New Orleans?

Q. I'm thinking of, you know, when you got to New Orleans you tried to contact Raoul -

A. No, I didn't. I was just in there and out that was it.

Q. And your only contact was with him over the phone?

A. At that time, yes.

MR. LEHNER: What time did you leave Selma that day?

A. The next morning.

Q. What day was that about?

A. Well, it must have been sometime in February.

I don't remember the day, I'd say, towards the end of February.

Q. And after you left Selma what route did you take?

A. I don't know, but I got into Montgomery, that's the only town I can recall.

Q. Had you ever mentioned Montgomery before?

A. No.

Q. What did you do in Montgomery?

A. I sort of looked up the road signs for Birmingham and went from there to Birmingham.

Q. And what did you do when you arrived in Birmingham?

A. I went to the Starlight and I met this Raoul there.

Q. What time of day was that?

A. Well, that was late again, I don't know what time it was. It was in the afternoon, I'd say, probably close to noon time I guess.

MR. GANNON: What time were you supposed to be there if you were late in arriving?

A. Well, whatever time it was. I think I was supposed to be there towards the morning or something, but I know I was late or something, a couple of hours I guess. I think, I think the lateness was caused by going through Montgomery instead of taking a shorter route.

MR. LEHNER: What date were you supposed to be there?

A. I don't recall that now either. Sometime in February. These dates and - they were late February and early March.

Q. What time in the morning were you supposed to meet him?

A. I don't know, but the only thing I recall he mentioned, there was some mention or conversation about being late and I wanted to eat or something and he said well we don't have time or something.

Q. What time did you arrive?

A. To the best of my recollection sometime around dinner time, because I know I was --

Q. In the evening, dinner time?

A. Lunch time, at lunch, yes.

Q. Lunch time.

A. Lunch time, yes.

Q. So you are just talking about a couple of hours late?

A. Yes.

Q. And when did you find out the time you were suppose to be in the Starlight?

A. Well, I found out on the phone, but -

Q. When you were in New Orleans?

A. Yes. It was mentioned about being there around a certain time and on a certain date.

Q. A certain time in the morning and a certain date and it took you a couple of hours longer than you should have

spent in getting there?

A. It apparently took me an hour or so longer to get there than what it did.

Q. What was the conversation you had with Raoul?

A. Well, it was very short. I recall something about I wanted some food or something and he said he didn't have time or something and he was going to Atlanta. He wanted to get there before dark and that was about it.

Q. What else happened?

A. Well, we went toward Atlanta, toward Atlanta.

Q. How did it come about that you went toward Atlanta?

A. Well, he suggested that that's where we were going. Said that's where we were going.

Q. And how were you getting there?

A. We drove there.

Q. In your car?

A. Yes.

Q. What did he say was happening to his car at that time?

A. Well, there was no mention of his car.

Q. How long did you and he drive from Birmingham to Atlanta?

A. I don't know how long it took us to drive there, but when we got there it was, it was in the afternoon sometime. I know that because I hadn't been there for an hour and a half or so before it started getting dark.

Q. Well, let's see, you got there later than you were suppose

to, to the Starlight?

A. That's correct.

Q. How long did you spend at the Starlight?

A. I don't think over two or three minutes.

Q. And when did you leave Birmingham, what time of the day was that?

A. It would have been sometime during the noon hour, I don't know. I guess between 12 and 2 probably, closer to 12 I'd say.

Q. And when did you arrive at Atlanta, about what time?

A. Well, I don't know again, but it's, it was getting closer to dark because we hadn't been there over an hour and a half or so looking for a room until it started getting dark.

MR. GANNON: Did you stop at all for food along the way?

A. No. I didn't get any food until seven or eight o'clock that night.

Q. Did you have breakfast that morning?

A. I think I had a cup of coffee or something. I hadn't had no food all that day.

MR. LEHNER: So you were hungry when you met him but you didn't eat there and you didn't eat until you got to Atlanta?

A. That's right.

Q. Why was that?

A. Well, it was a rush I suppose.

Q. Well, you were hungry and he's saying let's rush is that the way it is?

A. Yes.

Q. Did you ask him why?

A. No, I didn't make any inquiries.

Q. You were hungry and you didn't ask him why it was that you had to go from morning until evening without food?

A. Well, he mentioned he was in a hurry, so I assumed it was important the reason for him being in a hurry.

Q. What happened when you got to Atlanta?

A. Well, we started looking for a room and he seemed to be familiar with the area and we made several inquiries and - I'd say two inquiries - and I think about the third one we found a place in the area he seemed to be somewhat conversant with.

Q. What kind of inquiries did you make?

A. Huh -

Q. What kind of inquiries did you make?

A. Well, I would just go up to a place and ask them if they had a place to rent.

MR. GANNON: Did Raoul point out this neighborhood to you as a place where you should look for rooms?

A. Well, he, he directed traffic when I drove in and the general area, but there was no, it was just general driving around a certain area there in town looking for rooms.

LEHNER: And were you looking for signs on the door saying rooms for rent or was it a newspaper that you used?

A. No, just looking for signs on the door.

Q. And how was this particular place found?

A. Well, we just went two or three places -- it was more or less a rundown neighborhood, kind of a transit, and I think it was the third place I was able to rent a room.

Q. Under what name?

A. I think we dicided - I think I used my right name on that place.

Q. You used Galt?

A. Yes.

Q. Why?

A. Well, later on it was some conversation about it, that he was going to come there and ask for me or something and, and I know I used the Galt name. I'm almost certain of that.

Q. So did you sign the register there?

A. No. When I went in, when I went in the rooming house there was two individuals in there, there was a fellow who owned it and then there was another guy. They were both drinking wine and I asked them about a, I set, I was sitting inthere talking to them, I think I may have took a drink myself and he said something about a room, or he said something about, or he said something that he would show it to me in a few minutes or something. And he owned the place next door, another house where transits are at -- While I was in there after aobut 30 minutes or so this other, Raoul, he came in there and this other guy he'd been drinking and he left and we talked a little more about the money and things like that, how much to rent it for and

I think he said 10 or \$12 or something.

Q. You were there about a half hour before Raoul came in?

A. Yes. He came in to see what the holdup was or something.

Q. Where was he during that half hour?

A. He was in the car I guess.

Q. About what time was this that he came in?

A. Well, it was about half an hour after I'd been talking to these two individuals, of course, the owner as I mentioned he had been drinking.

Q. Was it dark at that time?

A. Well, it was starting to get dark, yes. I would say it was more dark than it was light.

Well, this owner - he claimed to be the owner - I think he wanted \$10 or something for a room and I have some recollection of - I don't really think I paid him, I think he passed out or something, I'm not sure if I paid him or not and the next day I think I told him I did anyway.

Q. You told him you did?

A. Yes.

Q. What did he say?

A. He said something about losing his money.

So I guess he figured he drank it up or something.

Q. Oh, you got the first week there free.

A. I believe I did but -

Q. Now after this half hour that you were there and

then Raoul came in, what happened at that time when he, Raoul, came in?

A. Well, at that time I was, I was wanting some food, but I think what happened here, we went to the restaurant at that time, we had some other discussions, and he said something about how you get in the room or something and he also mentioned about, that we could go to Miami. But I don't know if it was that meeting or the meeting the next day, but anyway we went to this restaurant. That's about a block up, that's a restaurant that you go in - See the room - We were, the room, I finally got it. It's about a half block from Peachtree Street where you go up to the end of the block and turn right and go down about a half block and this restaurant it runs, the inside of it runs parallel with the street.

Q. This is the restaurant that you and Raoul went to that evening?

A. It was just a small, it looked like a box car.

Q. Was this after you brought your possessions into the rooming house?

A. No. I don't believe so. I think I took them in there later on.

Q. You left your TV in the car?

A. Yes. I think I -- I think what happened see, he passed out while we was talking to him, so, but he done told me I could get a room, I was certain on that.

Q. Did you look at the room?

A. No. I don't think at that time. No.

Q. When Raoul came in after this half hour wait did he see the room?

A. No. He said something about he was going to come back tomorrow and I'm kind of hazy on how I got the room. I think that after, after I went back there he got, he got this, the owner sobered up. He give me a - He let me sleep in the house, that he, not the rooming house, but the house that he was in, somebody else's room that night because he couldn't get across the street. He wasn't able to get next door in his condition.

Q. Well, lets see now, you got to the rooming house, Raoul waited outside for a half hour, you went in, you had a glass of wine, he, Raoul, came in you, neither you nor he saw the room at that time, then you both left to go out to eat?

A. Yes. You see, I was discussing this room with this guy, he's kind of a, he was kind of a slurred conversation. He said, he said he had several rooms across the hall, across the street, across from that house that he could rent but he said something about he'd - he acted like, you know, how a drunk person is, he didn't want to go over there. He didn't want to go over there, but he would definitely rent me a, one, and he said something about I could stay in the; later on he said something about I could stay in the house that he was, he stayed in. He had two houses. The one he stayed in plus the one he rented out.

Q. So, is it true that you waited there a half hour, Raoul came in, neither of you saw the room, you didn't bring you possessions in, but then you and Raoul went to dinner, is that correct?

A. Yes. After I was more or less convinced that he would have a place for us.

Q. Where did you and Raoul go to dinner?

A. Well, this was a restaurant, a small restaurant up on Peachtree Street. It's right around the corner from the rooming house we was in. A motorcycle club on one corner and the tavern on the other. That's when you are going up, when you turn right on Peachtree Street you and it sits, the restaurant I'd say sits about a half block down the street.

Q. It's a half block from Peachtree Street?

A. Let me draw you a diagram so you will know exactly. Here's, here's the, here's the rooming house, the rooming house, that's Peachtree Street, here's the first block. Now, the restaurant, the restaurant sets about here and it runs this way parallel. There was a motorcycle club here.

Q. Put "Restaurant" where you put the restaurant if you would?

A. There's a bar over here.

Q. And what street is this that we are - could you name the streets?

A. Vertical, well, I think it's 14th Street, I'm not sure. I think this is Peach tree.

Q. And what would this street be here?

A. I have no idea.

Q. Would it be 15th street or 13th street?

A. Well, if that's 14th maybe it would be 13th. This may be 13th, it was 13th and 14th, but I'm not certain.

Q. Okay. And I'll sign my name here and I'll ask you to sign yours and I'll put the date of it which is April 29, 1977.

(Mr. Lehner signs the diagram that James Earl Ray drew for the Committee and Mr. Ray also signed acknowledging his

drawings of the diagram.)

Q. What time was it that you had dinner at this restaurant?

A. I don't know what time. It got dark at that time, I guess it would be around 6:30 or somewhere like that, seven.

Q. And how long did you and Raoul spend in the car together driving from Birmingham to Atlanta?

A. I don't have any idea. The only thing I could explain is to you, it was about, what type of day it was dark and things like that.

Q. Well, how many hours approximately did you and he spend in the car from Birmingham to Atlanta?

A. I couldn't say, that either. From Atlanta to Birmingham, it's hard to evaluate time when you are driving like that, I can't --

Q. Do you know approximately how many miles it is?

A. No. It seemed to me to be three hours or something like that.

Q. So when I asked you earlier how long you had spent together with Raoul and you said maybe a total of altogether in your life three hours, it was a lot more than that?

A. I said not counting driving, just on conversation.

Q. Well, in that drive, as you say about three hours, what was discussed?

A. Very little of anything. We just, most of our discussion, we had a little discussion at the restaurant, but most of the discussion was the next day when he came to the place on how he would get in and how he would get out and things like that.

MR. GANNON: When you were in there you were talking to the landlord who's drinking and Raoul comes in was he talking to the landlord too?

A. He said a few words to him --

Q. And did he help to sober up the landlord?

A. No, I don't think, we didn't make no attempt to sober him up because he was too far gone. I was just trying to keep him from passing out or something like that.

Q. But I thought you said he passed out and then he sobered up?

A. Well, I don't know if you are that familiar with people who drink wine but they go off on a nod for about 45 minutes or an hour.

Q. I wasn't aware of that.

MR. EVANS: No, he's familiar with people who drink wine.

Q. When did you take your leave of Raoul that evening?

A. From the restaurant.

Q. About what time was that?

A. That must have been 6:30 or 7, I guess. It was dark at that time, it must have been seven.

Q. Did you ask him when you were going to see him again?

A. No, he said he would see me the next day.

Q. Did he say, did he tell you what he, what he had planned for the next day?

A. No.

Q. And did he tell you where he was going when he left?

A. No.

Q. Did he tell you where he was going to stay?

A. No.

Q. Did you discuss with him how he was going to get to where he was going to stay?

A. No. I didn't discuss it.

Q. Did he ask you for your car, did he ask you to drop you off at your place and he go to where he was going and then he'd see you the next day.

A. No, not at that time he didn't ask me anything

Q. Well, did you think it was strange that he didn't have a car, you had a car and he leaves you at the restaurant? Did he leave you at the restaurant?

A. Yes.

Q. And doesn't ask you for a lift anywhere?

A. No. That's not too far from downtown the 1300 block. I --

Q. Any reason he gave you why he wasn't going to stay with you?

A. Well, I don't think anyone would stay there if they'd had a choice.

Q. Was there any reason why he wanted you to stay there?

A. Well, I guess he wanted me to rent a room there.

Q. Well, why did he want you to rent a room there, but he not to rent a room there?

A. Well, I -

Q. Or him not to stay with you there?

A. Yes, well I can understand why anyone wouldn't want to stay there unless he had to, but I think that was

explained the next day.

Q. What did he say the next day to explain it?

A. Well, he came the next day sometime about 11:00 I think it was. I don't know how he got over there. I stayed in the room and --

Q. Eleven in the morning?

A. I think it was about that time, 10 or 11. I don't know if he went across the street and got the, seen the person that owns it or not, but I had problems keeping the front door open and he knocked on the door and I was quite a ways from the front door and I stayed around it. It had a small balcony up towards the front door and there was no one else in this room but me, or in this, in this house, I think there was one individual, I think he was bedridden. This was a two or three-story house with real small rooms. It used to be a doctor's, where he treated patients or something. And I just stayed around the balcony in the front and when he did get there we had a certain conversation about he we would get in and out. And he made arrangement whereby I would leave a side door open and there was, it was locked from the inside. There was no padlock on the outside or anything, and then he asked me something about staying around there in that, not to get too far away because he wanted to go to, he wanted me to take him to Miami or something and I don't know just what the rest of the conversation was, that's the main part of it --

Q. The main part was what?

A. For me to stay there because he said, he had, he wanted me to, he said he wanted me to, he said I would probably have to

run him, drive him to Miami or something. He wanted to make a trip to Miami for some reason and I kind of got the impression that I may be there for, you know, a while from that conversation I don't know what give me that idea, making trips and things like that.

Q. That you were going to make trips or that he was going to make trips?

A. Well he said something about me going with him to Miami in the car or something, so, I figured maybe it was some business there. I don't know what it was.

Q. Well, then the fact that he wanted you to drive him to Miami is that what you are saying?

A. Yes.

Q. How did that give you the impression that you were going to be staying in Atlanta for some time?

A. Well, he said he would get in contact with me in a few days or something and to stay close to the house and to keep the side door open.

I know I'd had trouble several times with the landlord. I know I'd unlocked it and then he'd, well, he had a sister she was really running it, I found out later, and she kept locking doors and all that stuff.

Q. The sister of the landlord?

A. Yes.

Q. Did - How long did Raoul stay with you that morning?

A. Well, it wasn't too long, it was just after that discussed, well the Miami thing is the only thing that stands out and the rest

of it is just stay there and that would be it.

Q. And then he left you with what arrangements, when was he going to see you again or make contact with you?

A. I have some recollection of driving him somewhere. I don't know if it was that time or another time. I just can't remember. I think, I think I wrote this down one time years ago. I have some recollection of driving him possibly to some point and letting him off, but I'm just not sure about that. I'm, I'd have to read the past notes on that.

Q. Well, when did you next see him after that morning?

A. Well, he never did come back or apparently he forgot about the Atlanta situation.

Q. Forgot about what?

A. The Miami situation, the Miami trip. And the next time I saw him, it was probably a week, a week later whenever it was. I think it was eight days later.

Q. How much money did you have when you arrived at that rooming house?

A. I don't think I had over about \$1400.

Q. And he just told you to stay by and he'd get back to you?

A. It was my impression we would be making a trip to Miami. Yes, that's --

Q. But the next time you saw him was about eight days later?

A. Yes.

Q. That day after you arrived, when he came over in the

morning, did he tell you what he had done after he had left you at the restaurant the night before?

A. No.

Q. Did you ever ask him what was the big rush going from Birmingham to Atlanta where you couldn't eat that whole day and all you did was when you got there you kept him waiting a half hour outside in the car and then you and he went to a restaurant to eat?

A. I didn't ask him, I assumed there was some rush to get this place rented where he could get me situated and then he would go about his business or something.

Q. Well, on the one hand isn't it odd to you that there is such a rush that you were late in getting to the Starlight and then he rushed you out of there and he wouldn't let you stop on the way to get something to eat, you were hungry when you got to the Starlight and you didn't even get to eat until about 6:30 that night, but by the same token when you go in there, you wait around a half hour and not rushing the people in there, in fact, you have a drink you keep him out there waiting, finally you and he go to a restaurant there is no conversation between you and he about what the rush is all about, the next day you see him there is no conversation about what the rush is all about?

A. No. I never mentioned it.

Q. Well, isn't that strange that if you are rushing to get there you keep him waiting a half hour?

A. Well, I assumed the rush from hindsight, I assumed the rush was to get, to rent a room before, usually you don't go up

and try to rent rooms during the nighttime. I assumed that's what the rush was. My reason for staying in there with, with the landlord for half an hour was trying to talk sense to him about renting a room or something.

Q. Why did Raoul want this particular place?

A. I don't think he wanted that particular place.

We went, I think he wanted that particular area.

Q. Why?

A. Well, I know now, I didn't know then, but -

Q. What do you know now?

A. Well, it was a lot of, sort of a, well, I don't like to use the word hippy all the time, but there was a motorcycle gang up there and I found out later on there was a lot of narcotics dealings and stuff like that in that area. It's more or less a sleazy area. I could understand now why I wouldn't go in that area to rent a room myself because that's where the police hangout.

GANNON: Did you suggest to Raoul when you were going to Atlanta to do what I think you did on other occasions, for example, you would go in and stay outside like-and then- at a motel and then the next day you would then leave the motel and then go in, say for example, Montreal and find a place to stay, look around, you would have sometime, have a full day to pick out a place to live?

A. Well, if I was doing it, that would be the way I would do it. But I assumed it was a rush to rent a room and he may have had other business, I can't, I can't discern other

people's motives for things.

Q. Well, he sort of spent the entire night with you. Didn't he first - the rooming house and then the restaurant?

A. Well, he left after the restaurant. I took him somewhere, but I don't know, I'm not sure which, I think it was the next day I took him to some station or something and dropped him off or something up town, downtown Atlanta, but I can't be certain until I get these other papers but I think it was -

Q. Was that a bus station or a train station?

A. I think it was just up in the main part of town. I think that's what it was, I'm inclined to think it was the next day really, it's not that particular --

Q. Did he say how he was going to get around town when he left you that morning, the morning after you arrived?

A. Well, if I took him downtown apparently he, he went either by cab or, or public transportation.

Q. When did you take him downtown?

A. Well, that would have been sometime after, I'd say after 11 or 12:00, around lunch time.

Q. Where did you keep your gun at that time?

A. Well, later on I put it in the basement, it's a place there, there's a basement in there, it had dirt in the basement, I remember I think I, I think there was a furnace in there, maybe I must have put it under ashes or something.

Q. Then you actually buried it?

A. Yes.

MR. LEHNER: Where did you hide it before you burried it?

A. In the car.

Q. What part of the car?

A. Well, there are several places you can put it. I think I recollect one time I put it in the wheel, the tire sits down and it has a cut out of the back of it. I remember one time I think I put it down through there and one time I think I put it in the spring up underneath the, some place up underneath the seat, but I can't, and sometimes I used to just, in bucket seats I use to just carry it kind of back under the seat when I was concerned about somebody. There's a lot of robbing out there by people jerking your car door open and you know they will jerk you out of the car. I was concerned about something like that in certain areas.

Q. Who was the owner of the rooming house?

A. I don't recall his name now.

Q. Do you know his name now?

A. Garner, that's his name.

Q. Did you know his name, how did you learn his name?

A. How did I learn his name, well, I have since read it but he told me I'm positive he told me at least when he sobered up that he was Garner.

Q. How far was Garner's place from the main highway?

A. Well, I plotted all that out on a map.

Q. What map?

A. On the Atlanta map that I told you I marked. Not at the highway, just one of those freeways, I don't know about the highway. The Freeway I would say is where we come in, we come in and drove about three blocks, then we circled around

here. I'm just talking about if you come to the closest point to where I rented a room, I think you come here off the freeway and drive about three blocks then hit Peachtree Street and come about seven or eight blocks and then hit about 14th Street and drive about a block, oh I guess it would be about 12 or 13 blocks from the freeway.

MR. GANNON: What did you come in to Atlanta that day on?

A. I don't know, it was a southwest direction. Well, see you would be coming into Atlanta -- That would be the most direct route into Atlanta. When we came in we came in from the west and it turned north. I don't know where the ball park is in Atlanta, but it could be turned around. I thought we could have been going to - one time going south, but that's the best of my recollection.

MR. LEHNER: What did you do those eight days that you were waiting for Raoul that you thought he was going to come back in a day or so?

A. I thought he was coming back and we were going to make a trip to Miami at that time. I didn't have any real understanding, I mean how long I was going to be there.

Q. What did you do during this eight days?

A. Well, I think I really didn't do nothing. I usually just stayed close to the house. I told you a few days ago I marked those places off on the map. I bought a map of Atlanta and I really didn't know anything before I bought that map of Atlanta.

Q. When did you get that map of Atlanta?

A. I think the next day.

Q. Now, you were -- you say that day at 11:00 or something he came that morning and then you say you spoke to him a while and you drove him into, downtown or was that the day after?

A. I'm just - I'm almost certain I got it that day yes, on -- I can't remember clearly and that restaurant is in one of those marks. I went to make two trips to banks to get money converted from Canadian to English, United States I mean. I made some kind of a - I wrote some locksmith company and tried to get that locksmith course transferred into Atlanta.

Q. So you made the marks, you bought the map, did you buy it or did you get it free?

A. No, I bought it on Peachtree Street at a drug store.

Q. Did you get it the day that Raoul came over to your room at 11?

A. That's hard to say.

Q. Did you mark it that same day?

A. I probably did.

Q. What time of day did you mark it?

A. I just assumed, no, I don't - one of my main concerns was not getting lost and having to drive all over town and finding the rooming house.

Q. When did you mark the map?

A. I'm just assuming it was sometime in the afternoon.

Q. Did you wait until five or six days later, how long did you have the map when you did put the marks on it, or was it an hour later, was it a minute later?

A. I think when I marked that map is when - is after I went to take - I have some recollection after I went to those banks and got that money converted and tried to determine just how I had come into town and things like that.

Q. Well how long would you say it was from the time you got the map until you marked it?

A. I don't know. It would, I think it would depend on when I got that money. Now I don't know if I got the money exchanged that same day or it might have been the next day. If it was the next day but I have some, some connection in my mind between buying that map and marking it and going to that bank, I don't know just what it is.

Q. Well, you, you said just a few moments ago that you marked it shortly after you got it, the same day. Now, is that true or is it not true?

A. It could have been the next day. I think when I marked it, I think is when I went to the bank and, and converted that money.

MR. GANNON: Did he give you any money at that time?

A. No.

Q. Did you ask him for any?

A. Not at that time.

Q. I'm just curious because look you asked him back in December when you saw him in New Orleans?

A. Well, nothing was mentioned about money or anything like it, I think I might have mentioned money at that time, but I didn't get none whether I asked for any or not. There may have been some mention about money.

Q. I'm just thinking how you had just come all the way across the country practically and here you were you were just going to hold yourself at his disposal for a few days, several days, and it just would seem natural to me for him to foot the bill for that instead of you?

A. Yes, there was some discussion of money later on, but I don't know all the details of that. I know I asked, I know I may have mentioned money once, but I don't know when it was, and he said he didn't have any right at that particular time.

Q. Did he promise to get you some?

A. I'm not sure just when this money was, you know, I'd have to look on these back papers, but there was some mention of money made, but I think it was, it was said wait a few days and we will go to Miami or something like that. Now, I didn't receive any money from any source at that particular time.

Q. Were you at all apprehensive when he didn't come back in the next couple of days for this trip to Miami?

A. Well, not particularly. I could have called New Orleans I guess and found out, but I don't think there was anything definite on it.

Q. Did he tell you that he was going back to New Orleans and that's where you could reach him if you needed to reach him?

A. No, there was no point, he just asked me to stay around close a few days and he - we would probably or most likely make a trip to Miami or something.

Q. Did he say what the purpose of the trip to Miami was?

A. No.

MR. LEHNER: Had you ever been to Miami before?

A. Yes, I was in there one day in 1954 or something.

Q. What were you doing there that day?

A. Well, my uncle, well, this was in 1955, my uncle went down there he was going down there to go to work as a painter. He was, had a union card, a painter's union card, but he went down there and he couldn't get any employment and he had a drinking problem too, and we got lost from each other the first day down there and I had to catch a bus back to St. Louis. That's the only time I was ever in Atlanta, I think on the way -

Q. The only time where?

A. In Atlanta on the way from Miami to Atlanta, I think the bus stopped.

Q. So you were in Miami for that one day and I think you said 1955?

A. In 55, was in a lot of these towns for one day. I think I was in Memphis for a couple of hours, me and my uncle drove down there like I say he drove, his name was William Meritt, he went down there to get a painting job and I think we went through Birmingham and various towns between Miami and St. Louis.

Q. This is your uncle on your mother's side?

A. That's correct.

Q. And you were in Miami for a day as well?

A. Yes, that's correct.

Q. You say he had a drinking problem too?

A. Well, he was Irish and drinks beer, so I thought --

Q. Do you have a drinking problem?

A. No.

Q. Did you have a drinking problem?

A. No, I never had one.

Q. Now, other than that one day in 1955 in Miami were you ever in the state of Florida?

A. No, just going through there and coming back.

Q. In 1955?

A. Yes.

Q. But in 1967 and 1968 you were not in Florida, you're sure?

A. Positive.

Q. Now, you say he was gone about eight days and you were just doing what in Atlanta?

A. I mostly just stayed in the room because I know his sister was over there several times and I didn't get too far away from the house during that period.

Q. Do you know whether or not Raoul ever went to Florida in this time in '68?

A. I never did question him about it, no.

Q. As far as you know Florida has no connection with the case?

A. No, I, the only, I never did mention it before except even with attorneys, I would -- Author Hanes, when he came in

on the case, Arthur Hanes, Sr., he was giving attorneys, Huie various information wherever these parties and me, and all that was going and I was getting all these witnesses so I never did mention -- I think I mentioned to Hanes one time just briefly then I wrote to him or something, told him not to bring it up with Huie because it just possibly get more witnesses against me and I never discussed this much with anyone except just previously with Hanes other than just mentioning it.

Q. Could you give us that again slowly, I sort of lost you, you were talking about a conversation you had with Hanes pertaining to Huie?

A. When Arthur Hanes first come in on the case I was giving him various information and he'd give it to Huie and here'd come more witnesses in against me; and I'd tell him various towns I was in, various towns I was supposed to be in and then apparently Huie investigated them or either give them to the FBI or maybe the FBI was following him, I don't know which. And, now, I mentioned I started to discuss this Miami deal with Hanes because it might have made sense to him where it didn't make any sense to me at all, then I decided against it because it would just complicate the case with more witnesses, so I either wrote him or talked to him or wrote him and just told him just forget about the Miami situation.

Q. Explain to us how the Miami, how telling Huie about Miami would in anyway complicate the case since neither you nor Raoul were in Miami?

A. Well, I don't know if Raoul was or not.

I think my main concern was if they started investigating down there that Huie and the FBI and everything why it would be just creating more problems and --

Q. How, explain that?

A. Well, one thing if it was more witnesses down there something like that.

Q. How could there be any more witnesses against you in Miami if you never were there?

A. Well, I'm not talking about direct witnesses, it just seemed to me at the time, of course, I wasn't thinking too good under those conditions, it was just something you, it didn't seem important to me and the only thing it would cause is more confusion in the case, so I just told Hanes to drop it.

Q. Well, wouldn't that be a good thing for you to have the FBI spending all that time down in Miami since you weren't down there at all?

A. Well, I didn't know what they would find down there.

Q. What could they possibly find that would hurt you in your case?

A. Well, I don't know. I think you have to explain my view on the case. I wasn't interested in anyone getting arrested that's the last thing I wanted to do, is anyone getting arrested while I was waiting to go to trial. Of course -

Q. Why?

A. Well, usually these, whenever you have a multiple arrest, someone is going to be a State witness and you know just, I think a classic example is the case that the former

Richard Sprague had, the Yablonski case, they started lying and you get the weakest link and you go right on down the line. I wasn't concerned. I wasn't interested in about you know getting involved in that type of case. My idea was just to take the witness stand and tell everything I knew and once I did that would be too late for all these underhanded deals and threats by the FBI and all that. I could have just went to trial and that would have been it.

MR. GANNON: But wouldn't though if they'd found someone in Miami who knew Raoul, wouldn't that corroborate your story?

A. Well, that might corroborate, I had, there's two, I still got the problem now of whether to corroborate the story and possibly getting someone to testify against me. Not only in this deal but maybe in some other kind of a -- Now, let me explain this. Now, William Bradford Huie he said I was involved with various people smuggling and all that and I think the prosecution corroborated some of it. He claims that during the shooting that I peeled off from these other people and did the deed myself and possibly got help from them to get out of the country. Well, if that, if the government were to represent a theory like that, and say, yes, he was involved in all this, but he didn't shoot him himself and he made his way out of the country and got help. If they'd arrested these other people maybe six or seven, of them, I don't have any doubt in my mind human nature being what it is that some of them would have tried to make a deal and they would undoubtedly testified against me even if they weren't

involved in the actual shooting. They would have said that - they would have layed it on me some way. I don't know if it's a valid defense or not, but my defense was to, once I got on the witness stand the Jury was in the box, they couldn't tamper with the case too much because I, I don't think they would call a mistrial for arresting anyone.

Q. Did your attorney, Mr. Hanes, question you about who Raoul was?

A. Well, he seemed to have a lot of ideas himself on who these various things were. He had, he had various sources in the FBI and he was with the Birmingham FBI and I think he had another case, Luizzo or something and he got the files from Detroit police in that case. And, he had various contacts and he, he didn't, how would you say, confide in me very much. The fact is, I didn't even know he had a private investigator, until I read about it in the paper where he had some conflict with the police, but he asked me certain questions and then he'd ask me if I knew someone and I think he investigated some people in Kentucky and I'd just say, no, I don't know them and then he'd ask me some names in New Orleans and he mentioned the Progressive Labor Party, that had me -- I was investigating them for three years and he just asked me those questions and that would be it.

Q. What I'm trying to get at is you told your story to Hanes about Raoul, is that correct?

A. Well, I explained, I, what I did with Hanes, I would write everything down for Huie and Hanes would take the information I wrote to Huie, and Hanes was kind of scared to talk to me on account of microphones in the jail and Hanes would take what I wrote

down for Huie and I think would use that for his case, plus let Huie investigate it.

Q. Well, what I'm asking you is this, did you ever discuss with Hanes your defense, the fact that you were there with Raoul to sell guns and that Raoul was the one who must have done it because you weren't the one?

A. I discussed all that with him, yes.

Q. Did he ask you to describe Raoul?

A. Yes.

Q. And did he indicate to you that he had trouble believing that you could not further describe Raoul than just give his name and the description of him without in anyway further being about to identify him?

A. He came, no, he never did question me on that. He thought I was holding something back from New Orleans. He mentioned several names and I don't recall those names now from New Orleans, Hanes he very seldom gets mad except one time when he said, he said I think, I see you sort of angry, I think you know these people in New Orleans, and he referred to their names, but I can't recall their names now. If you question him maybe he will know them, he'll tell you, but he had his own ideas based on what I guess he got from the FBI on those couple -

Q. Well, what I'm trying to get at, let me try to explain what I'd like for you to address yourself to. You were telling Hanes something I assume similar to what you were telling us, that you were not guilty, but that you, that Raoul was the one that brought you down there on the gun deal, is that right? To Memphis, is that correct?

A. That's correct.

Q. And I assumed that Hanes was hoping to corroborate your story so that it, to make it believable to the Jury?

A. Well, yes.

Q. And he wanted you to give him more information about Raoul so that the story could be built up and the Jury could have something more than just James Earl Ray taking the stand, who could be crossed-examined on his prior criminal record, and so the Jury would have something more to believe you than just your bar story, am I getting at what you and Hanes were about as far as preparing the case?

A. Well, yes, sort of. Well, he had, I think his - What he told me, he was mainly concerned, of course, he was interested about New Orleans and Kentuck but, now the Kentucky deal had nothing to do with this business in the paper. This was a political organization in Kentucky but anyway he, his, what he told me the only thing he said was of any importance was what happened during the four or five hours during the time the shooting took place and he was interested in getting all the witnesses, to, you know, eye witnesses and all that, that was on the scene of the defense.

Q. Now, if you told Hanes about the fact that Raoul said he was going to Miami, how would it in anyway hurt you if someone down there could say, yes, I saw Raoul in Miami, wouldn't that corroborate what you were telling the Jury? How would that hurt you?

A. Well --

Q. So, therefore, my question is why did you tell him not to pursue that, Miami?

A. Well, this was when all the witnesses come in, and everytime he come up he'd have a new list of witnesses based on what information I give Huie. I don't know if my thinking was rational or not, but that's the way I looked at it. I think to understand my thinking on this, you had to read these various letters. I know I was having, I wrote to Huie a strong letter in September about six weeks after Hanes come on the case complaining about where he was going and there was the various letters exchanged between me and Huie and me and Hanes. And I just, I was having considerable problems with Huie being in the case with Hanes.

MR. KERSHAW: You didn't think there was really any probability of Raoul having actually gone to Miami, that it just wasn't worth the rouble to go into that?

A. Well, I didn't, I didn't go there and I just, and I'd reached the point, at this time that I wasn't, I just didn't want to give Hanes any more information than I had already given him. I thought it would have been just best to present it to the Jury and let the prosecution take it fromthere, whoever wanted to take it fromthere.

Q. What month was this that you told Hanes to forget the Miami connection?

A. Well, if I, if I wrote to him he'd probably have to look at his letter, but if it was just verbal you'd have to ask him that, but it was sometime when these various witness list started coming back in on me.

Q. What month was that about?

A. When the witnesses started coming?

Q. Yes.

A. Well, it wasn't too long after he got the case, as soon as I started giving Huie information. I think it was about, I think to start out with it was about 200 witnesses on the witness list on the prosecution's first list of witnesses. I think within six weeks after Hanes was on the case or six weeks after I signed the contracts which were dated August 1st, I got about four lists, four more witness lists, everytime he'd come up there, he'd have a new additional witnesses and I think there'd be about 25 on each additional list.

MR. KERSHAW: So you just got fedup with telling Huie too much of anything along about that time or rahter -

A. Yes.

Q. -by way of Hanes?

A. This was the problem all of these letters are, they're a matter of record. I have some of them myself, it's somewhat difficult to work with an attorney under those conditions.

MR. LEHNER: Okay we are going to take a break for our stenographer and give us a little stretch.

It is now ten minutes to three.

MR. LEHNER: It is now three o'clock and we are resuming our conversation with James Earl Ray.

MR. KERSHAW: Off the record.

MR. LEHNER: Okay, we are back on the record, it is now 3:01.

Well, you told us about waiting those eight days, could you give us a little bit of a synopsis of what's happening those eight days between your seeing Raoul, when you drop him off at about noon until you next see him?

A. Really there wasn't - I don't think there was anything of importance. I stayed close to the, I stayed in the rooming house most of the time. I probably went around to the restaurant. I used to go to the restaurant, the same one I mentioned, for meals. It's a block and a half. I made several trips, maybe two or three trips to another restaurant out eight or nine blocks from there. I went to the bank twice. I purchased the map and that's it.

MR. EVANS: The areas of the map that were marked, those are areas you were in, right, you conducted some sort of business in those areas?

A. That's correct. I'm not so sure about the circle now. I'm just guessing on that.

Q. On the circles?

A. On one of the circles. I told you that's where I went in the restaurant.

Q. Okay. All right. Now, just one other thing, when you went to the rooming house you were directed from the high-

way, now when I'm talking about the highway I'm talking about the Interstate highway, you were directed onto the, the speedway or the city throughfares by Aroul? So it appeared to you as though he knew where he was going?

A. Yes.

Q. He had some reason for putting you in that area?

A. Yes.

Q. And all of the rooms that you looked at were in the same particular area?

A. That's correct, yes.

MR. LEHNER: Did he tell you what his purpose was in going to that area?

A. No.

Q. It is now in hindsight that you realized that he wanted you there because narcotics were being sold there?

A. Well, I'm just assuming that. It's sort of a, what you call a sleazy area. It's motorcycle gangs - I learned this since I've been in prison.

Q. Well, why did he want you in that area although he wanted to stay in a different area, what was the purpose?

A. I don't understand that. May be he had been familiar with the area and maybe he figured this was a place where he could rent a room easy. I don't know.

Q. You certainly were not engaged in any type of narcotics activity being a transient as you termed yourself and also being a escaped convict because you knew that police officers are likely to be around people who are selling narcotics?

A. Yes. If I was going to pick an area to live in I would pick one like Los Angeles on Serrano Street or something where there were trees --

MR. KERSHAW: Did you suspect that Raoul had any good reason that he just didn't want to be caught with you or seen with you or, you know, he wanted to keep away from you for some good reason?

A. Well, it's a possibility. I assumed he knew I was a fugitive. I'm not positive.

MR. LEHNER: Did he know you were a fugitive?

A. No. I was making certain assumptions with all these different names I had, because I'm certain that he knew that my name wasn't Galt because I showed him the receipt I had for the television that was under the Ryan name in Detroit. So, well, I had the same feelings when I'm out there, I don't like to stay around anyone that I think's got a, draws heat either, because two people draws a lot more heat than one.

MR. EVANS: Well, when you were asking him about papers to get out of the country he didn't ask you why or wouldn't you assume that he was smart enough to sort of comprehend that the only reason that you would be looking for papers to get out of the country is because you were probably hot?

A. Well, I intimated that but I didn't -

Q. You didn't come directly to that?

A. This is just something I told him I was more or less tired of the United States and I was, I would prefer somewhere else.

Q. Did you know that Martin Luther King lived in Atlanta?

A. No.

MR. LEHNER: When did you first find out that that's where Dr. King was from?

A. When did I first find out?

I think William Bradford Huie probably, reading his stories on the case.

Q. What month was that about?

A. Well possibly, Huie, Hanes might have mentioned it, but I think Huie's stories, they started coming out about three weeks after I was in jail. They started coming out in Look magazine.

Q. Three weeks after you reached Memphis jail Huie had articles out?

A. It wasn't too long was it?

MR. KERSHAW: That's about right. I think he had two of them come out in September I believe the first one was, maybe it was a month.

I remember one of them coming out in November and maybe one of them come out the month before. There were two articles that came out before the first -

MR. EVANS: The times that Raoul visited you while you were at the rooming house in Atlanta, how many times did you say that was?

A. Well, it was the next day, twice.

Q. Twice there after?

A. That's correct, once there after.

Q. On either one of those times did you at any time drive him somewhere?

A. I have a recollection of driving him somewhere once. I think it was the second or next day I drove - I think I drove him up town somewhere, but --

Q. Was there ever an occasion for you to ask him, or how did you get here, or did you just walk up, or did you take a cab, or did you drive up or -

A. I never did make any inquiries how he got to see me or anything like that.

MR. LEHNER: He would just show up and that was it, right?

A. Well, either that or I would pick him up or something like that.

MR. EVANS: Oh, when you picked him up where did you go to pick him up at?

A. Once in Birmingham at the Starlight.

Q. Oh, I meant in Atlanta, did you ever have cause to pick him up?

A. No. I never picked him up.

MR. LEHNER: When he came to see you the second time after this eight day period where did you and he meet?

A. The second time?

Q. You say eight days later?

A. Yes, we met there in the rooming house.

Q. What time of the day was that?

A. Well, that was sometime in the morning.

Q. About what time.

A. I don't know what time, I'd say about 9:00 or somewhere around there.

Q. And how did he get over there?

A. He came in the side door.

Q. How did he know you were going to be there?

A. I guess he made certain assumptions. I stayed, he mentioned that I should stay around there. Of course, I was always there around 8:00, 9:00 in the morning after eating breakfast.

MR. GANNON: Did they give you breakfast in the rooming house?

A. No. It was right around the corner from the rooming house.

MR. LEHNER: Did there come about a conversation as to where you have been all these eight days?

A. No. I never made any inquiries.

Q. Did you ask him, do you want to go down to Miami now?

A. No, I didn't inquire about that.

Q. Did he mention Miami?

A. No, he did the talking and he appeared somewhat in a hurry,

A. He mentioned he wanted to go to, he was going to Birmingham and he mentioned at first that he wanted me to see about purchasing weapons in Georgia, in Atlanta, I guess, and I suggested that would be a bad idea because if I was going to purchase them based on my identification, in the event I had to use my identification, and he agreed that it might be better to get them in Birmingham, and subsequently we drove on to Birmingham. And I think before we left I think I left a note to the landlord saying I'd be gone a few days or something. I took a few of my clothing and that was it.

MR. GANNON: Did you, were you renting that room in Atlanta by the week, is that right?

A. That's correct.

Q. Did you rent the room for a second week?

A. Yes.

Q. How much, how much was the rent, do you remember?

A. Nine or ten dollars I believe it may have been less than that.

Q. Do you remember what day it was when you paid that rent?

A. The second time?

Q. Yes.

A. No, I don't recall what day it was. I think it was, I think I paid him in advance, that maybe one day. I think I paid him maybe a day before the rent was due.

Q. And you told us earlier that you really didn't pay him for the first week, you just told him that you paid him, is that correct?

A. I think that's correct.

MR. LEHNER: What were the dates of these eight days between the time you saw Raoul and dropped him off at about noon until you saw him again when he came at 9:00 in the morning, what were those dates?

A. Well, it would have to be sometime in March. I don't know what date.

GANNON: Middle March, late March?

A. Yes, the 20th.

LEHNER: Now, this was 9:00 in the morning he came over, what

conversation did he have with you then?

A. Well, he just said he had to go to Atlanta and we had some --

MR. EVANS: Atlanta or Birmingham?

A. Birmingham, but that was, he mentioned the gun transaction.

MR. LEHNER: What did he say?

A. Well, there was a mention of going to Birmingham. Then there was a mention of making some type of gun transaction in Atlanta or Georgia, I think he mentioned Georgia, and I said no, and we discussed that and I thought it was better to go somewhere where I had identification for it and he agreed with that and we went on to Birmingham.

Q. Originally he wanted you to get a gun in Atlanta?

A. Yes.

Q. Did he say what kind of gun?

A. Well, he started, I think rifles or something, it was military equipment, rifles, but the conversation, it didn't, the conversation didn't, progress that far where we went into the details. I just mentioned that my identification was Alabama and that I didn't think I should try to purchase something in Georgia with my identification. The point is I've purchased a lot of guns, not rifles, but pistols and things, but I've never purchased anything in a sporting goods store, so I wasn't familiar with whether they were going to ask you for identification or anything. And everything I ever purchased has been off a fence or a private party.

Q. And did he say the purpose of him wanting you to purchase guns in Atlanta?

he explained that on the way there in the car or in the motel. I think he explained that later in, in a motel, in Birmingham, the Five Points Motel.

Q. Well, originally he asked you to purchase the rifles in Atlanta is that right?

A. That's correct.

Q. At that time did he tell you the purpose of it, the time that you said well, I'd rather do it in a place where I have identification?

A. Well, there was just some oblique reference to it. It had been referred to earlier in New Orleans about December of '67. I never did go into details on it with him or anything too much, and he was always vague about things. And he just mentioned what he wanted to do and that was about it. He didn't tell me what all he was going to do with them and just what he wanted. And I never did inquire, make any inquiries or anything like that.

Q. Now, you say you told him I'd rather go to a state where I have identification, so you and he went to Birmingham?

A. Yes.

Q. Did you take all your possessions out of the Garner's Rooming House?

A. No.

Q. You were intending to come back?

A. I didn't know if I would be or not.

Q. Had you paid your rent that day that you went to Birmingham with him? Were you paid too that day or were you paid to sometime in the future?

A. No, I think I was paid in advance, but I'm not sure just when I paid it. I may have paid it when he was there, or later, but for some reason I wanted to keep, to keep the room I had. I wanted, nothing was definite, I wanted to keep, you know, keep it, the stuff I had in there.

Q. When you left Atlanta to go with him to Birmingham, it was with the intent to buy rifles, right?

A. That correct.

Q. And was there also an intent that you were going to go somewhere with those rifles once you purchased them?

A. Yes, I had that impression that they were actually purchased -

Q. You were going to go where?

A. Well, I assumed we were going to go to Mexico.

Q. You were going to go from Birmingham to Mexico?

A. Yes.

Q. To sell them to Mexicans at the border?

A. Yeh. I've got that -- Well, not at the border. I've got that impression, stronger impression after I once got to Birmingham in the motel that we definitely were taking equipment into Mexico.

Q. So you thought that when you left Atlanta you thought you were going to Birmingham to get rifles and from there going to Mexico, is that right?

A. Well, I assumed we was going to Mexico, but once I got to Birmingham I had a stronger assumption that was more positive. It was not much -

GANNON: What did he say to make that impression stronger?

A. Well, when he directed me what he wanted me to do in Birmingham. What he wanted, he wanted me to check the military rifles, purchase another rifle and that type of conversay, led up to --

Q. You assumed, you assumed then that you were stronger, that you were going to go to Mexico?

A. Yes.

Q. To make this transaction with these Mexicans?

A. Yes.

Q. Did you take your pistol with you when you left Atlanta?

A. No, I, I, I, I hid that in the basement.

Q. Why?

A. When I first stopped there.

Q. Why did you leave it there when you left to go to Atlanta when you thought that, I'm sorry, when you left Atlanta to go to Birmingham, when you thought that your next stop would be to Mexico where you would have to deal with some people who are buying rifles from you?

A. I really wasn't certain that, that I was going to Mexico. I thought I was at that time, but as far as the pistol went, I probably should have got it and took it with me, but I could have always purchased another, they're not hard to buy down there if you go enough money, but I don't know about that, about the pistol. We was in kind of a hurry, I guess if I had to do it over agian, I would have got it, but I didn't get it.

Q. What did you take with you when you left Atlanta going to Birmingham?

A. Well, I took a few clothing and I didn't take anything bulky.

Q. You took a few clothing, like what?

A. Well, change of clothes and - Well, it would be easy to say what I left. I left the typewriter and a television set.

Q. And most of your clothes?

A. Well, all of them clothes wasn't mine. I think some were, he left some there at one time.

Q. Who did?

A. Raoul.

Q. When did he leave it there?

A. I'm not certain just when he left them there, but -

Q. How many times was he there?

A. In the room altogether?

Q. Yes.

A. He was in there three times.

Q. The first time was the morning after you checked in, when was the next time.

A. The next morning about 9 or 10:00, eight days. I have some recollection of him leaving a couple of pairs of pants there, or something but I can't --

Q. You say that he first was in the room the night after you moved in?

A. No. He never came in that night, he, he was over there in Garner's house.

Q. Well, we are talking about Garner's rooming house, the place where you stayed. He was there the morning after you were there?

A. That's correct.

Q. When was the next time he was there after the morning after you moved in?

A. About eight days later.

Q. And when was the third time he was there?

A. That was the only times he was there.

Q. Well, you mentioned two times can you tell us the three times?

A. Well, the third time -

Q. In your room.

A. Well, I don't think there would have been any third time except the first time he was in Garner's house. He was never to my knowledge, was never in the room that I had actually rented except twice.

Q. When was it that he left the clothing there?

A. I think he left something there possibly the second time.

Q. The second time he was there meaning in your room, the second time he was in your room?

A. Yes.

Q. Which is eight days after?

A. Yes.

Q. Is that what you are saying?

A. Yes, I think I had some recollection. It don't make much sense, but I had some recollection of him leaving something there.

Q. I thought you just a minute ago said that the time he left it was the day after?

A. No, I don't believe, I don't believe I said that. I think it was, I think it was the second time he came there.

Now, he may not have left this, now, I have some recollection of him leaving some, a couple pairs of pants there or something.

Q. Now, what was your reason for leaving all these things at the rooming house and for him leaving his stuff at that rooming house when your assumption was that you were going to Birmingham and then to Mexico?

A. Well, my assumption, I didn't really have a strong assumption at that time, but the things I left there, they would have been small potatoes compared to what, to what I was, what we were thinking about.

The TV set was \$15, and the typewriter was \$10, so --

Q. And your clothing?

A. Well, I didn't leave too much in there, I don't believe I left some - I had some in the cleaners.

MR. GANNON: Did you leave the camera equipment there?

A. No, I don't think I ever took it out of the trunk. The fact is I don't think I ever moved it once I put them in the trunk.

Q. So you were prepared to sacrifice that, that typewriter, the television, your clothes and you only took a change of clothes despite the fact that you thought you were going to Mexico?

A. Yes. I don't know how much clothes I had with me. I put some in the cleaners a shirt something like that, and I couldn't get it, I didn't have time to get them out. And I had a few clothes I didn't take all the clothing I had. Now, in the rooming house in Memphis up to that so called place, that place on Main Street. I think there was a suit or something

like that I left in the car because of the clientele.

Q. When did you take your stuff to the cleaners?

A. I probably took it to the cleaners four or five days after I was there, but I don't know.

Q. What date do you put that on?

A. Well, when did I take it out. I took it out the fifth, I must have put it in about the, it had to been longer than that. I had to put it in about the 27th of March, so it would be considerably longer than four or five days.

Q. So you and he went to Birmingham. On what day would you put that?

A. March the 28th.

Q. What happened when you went to Birmingham?

A. Well, I checked into the hotel, a motel, the Five Points I believe it was.

Q. Five Points?

A. Yes.

Q. Where's that located, what part of town?

A. Well, it's in Birmingham, it's not downtown but it's in the business section. I think the highway runs by it.

Q. Under what name did you sign in?

A. Galt.

Q. What happened when you arrived there?

A. Well, we had some conversation about the buying, the purchasing of weapons and where we should purchase them, and, and, he seemed to have a little knowledge of Birmingham,

but not too much. I think we, I don't know if we looked up or he looked up a specific place in the cat - in the phone book, I know we went to a tavern not too far from the train station where you can, it's not a, it's a tavern and restaurant where you parked in back and I think that's where we looked in the phone book.

MR. EVANS: Is this Magoulas' place?

A. It may be, I don't know, there's a lot of Greek establishments in that area, and I know the place you are talking about, but I can't, I was in several places and I can't distinguish the names between them except the Starlight, that's the only one I'm clear on.

Then I think we decided on this place. I don't know if I decided on it or he had another store, on the way out there we got on a parallel street and I think it was the wrong street or something. I have some recollection then of getting a map to see just where this place was. We thought we was on the road that lead to the airport, but apparently he had been into the airport before, but anyway we got on the other street, the right one and went to the sporting goods store.

MR. GANNON: What was the name of that store?

A. That was Aero Marine Supply.

Q. Did you visit any other sporting goods store?

A. No.

Q. That's the only one you went in?

A. That's the only one.

LEHNER: You visited no other store of any type to get a gun

during any time in your life?

A. No time, that's the first.

Q. First and only time you ever went to any store to get a gun of any type?

A. That's the only time, any time.

Q. About what time of the day did you get to Aero Marine?

A. It would have been sometime in the afternoon?

Q. Of what date?

A. I guess the 28th or 27th?

MR. GANNON: Can I ask you a question about that, did Raoul stay with you at the Five Points Motel?

A. No, not as I know of. He waited in the room that I rented, but he didn't stay there that night, but -

Did he stay in the room I was in?

Q. Yes, or in another room in the motel?

A. Not as I know of.

Q. And when did he come, did he pick you up in the morning, or what, or did you pick him up some place?

A. Well, let's see, let's see, I rented a room, it must have been two or three o'clock and I think we had a little trouble finding the sporting goods store.

MR. LEHNER: You rented the room at what time?

A. It probably would have been 2:00.

Q. In the afternoon?

A. Yes. Well, I had some - when I purchased the rifle I had to get, I had the wrong type and I know it had to be late in the afternoon because I couldn't make, make a switch

that day. Now, I see I purchased the rifle, I took it back to the motel and I think that's when he gave me the, the different kind to exchange it for.

MR. GANNON: Can I ask you a question about that?

Raoul went with you to Aero Marine, is that right?

A. No. I think, no I don't believe he did - No, he didn't go with me, he, let's see, well we was looking at it in the street, yes, but that's the second time, yes he went the first time, but the second time that was the next day I went to the gun shop the next day.

Q. Well, I guess my question was, like the first day when you went out there, you say you got lost, right?

A. That's correct.

Q. And you had to get a map and then find out how to get out to the airport. Now, what did he tell you when you went into the Aero Marine the first time, what kind, what did he say about what kind of gun, rifle he was looking for?

A. Well, that was, the first time was verbal instructions.

Q. What were they, exactly, if you recall?

A. There was something about a deer gun or something, but the way this got, the way we got tangled up on this is, I think the - When I took it back, I told the, I told the guy that it wasn't really a deer gun or something like that. He said, well, yes it is too, and it seemed to be different deer guns between Birmingham deers and Wisconsin or something. I told him explained things the second time. Well, the second time I had more information about it. I explained it to him, that I wanted deer guns, rifle for deers in Minnesota or

somewheres like that. I know the owner told me something, oh, I thought you was talking about Alabama deers or something. Now, apparently they are smaller. Now I don't know if there's any--

Q. The first time did Ral - Raoul tell you what caliber weapon he wanted you to buy?

A. No, it was more or less, he explained to me that he wanted what you call a deer rifle or something, but the second time it was more explicit, it was written down.

Q. He wrote it down?

A. Yes, see the first rifle it was really like it was really like the second one. I don't know all the technicalities to this, but I can't remember everything that was told to me, but these bores, I understand the difference between a rifle, one type of rifle and another, a .22, I know a caliber .45 or something. But these weapons all had numbers. One of them had .243 and the other one had something else, and I just wasn't conversed with that type of, with that type of, of gun.

MR.EVANS: Did the salesman take you through any sort of familiarization instructional process while you were looking at these particular guns? I mean did he show you how they operated or --

A. Well, I can't remember too much about that either. I did ask him about his military rifles and he said something about they wasn't too good, but I assumed from that he was trying to sell me something that was more expensive, but I just don't know anything about those rifles.

Q. I mean, when he was showing you the weapon, did you

handle the weapons, did you put them up on your shoulder?

Did you sort of demonstrate any, any -

A. No. Actually I --

Q. - knowledge of the weapon at all?

A. I was uncomfortable about buying those rifles because the guy probably when I was asking for military rifles, he assumed I didn't know what I was, I wasn't conversed in, in what I was trying to get.

So, I was telling him that my brother was telling me what to get, see, and I think I even had it wrote down on paper there once, especially when it was military rifles, I can't go into too much details on what -

Q. Did you ever examine any gun magazines or arms magazines?

A. Did I -

Q. Yes.

A. No, I never paid any attention to them.

Q. Did you ever refer to any gun magazines before, while in the store?

A. I have some recollection of them giving me some paper and me showing this Raoul the paper and it had military weapons on there, but that's just vague. I can't be specific on it because I, I'm just, I was never interested in, I like, I'm interested in pistols, but not rifles.

MR. GANNON: If I understood you properly, it was going to be like a package, this, this gun deal in Mexico was going to be a package deal, you were going to have some hunting

rifles and then some military rifles, say Army surplus, something like that, cheaper models, is that correct?

A. It was my understanding that there would be eight or ten of these scoped, scoped rifles and then a large, large collection of these military rifles.

Q. Why didn't Raoul tell you to buy at least one of these military rifles as a sample?

Why didn't he just instruct you to buy just a hunting rifle?

A. Well he didn't, no, he didn't tell me to buy any military rifles, he just told me to look at them and ask the price and look them over and inquire and make general inquiries about them and that's all I did. I just asked, I asked the salesman about them and he said well, he said, no these are inferior quality or something.

Q. When you bought this, the first rifle, did they require identification?

A. No, he didn't ask me for any identification.

Q. Did they, did you have to give a name or anything like that?

A. I don't know if he asked me, well yeh, I think he asked me my name for the receipt, but I don't believe he asked me for any, if he'd asked me for identification I just wouldn't have purchased it. I would have just told him that I had forgotten my -

Q. Well, what was the reason for that, because the reason you came to Alabama to buy the rifle was because you had identification?

A. Well, I didn't -- I looked at it different.

I worked out something else, I would get more, I don't like to go in and do anything on the spur of the moment. I don't like that type of setup there. I mean, if I was buying something, I would buy it off a fence, but if I would, if he were to ask me for identification I would most likely told him to, told him I forgot it, and I'd discuss it further to see if there was any other way perhaps where you wouldn't had need any identification. Of course, if it came down to where I had to have identification to buy it I would have went ahead and used mine. But I always found there's always other ways to get around things like that. I mean, I could have went down and, usually skid row, I would buy identification off a wino or something, and use his, but of course I would have used mine if everything else failed. But I wouldn't have just jumped in there and give him all my identification and -

Q. But you did give him a name?

A. I give him a name, yes.

Q. Was that Galt or Raynes?

A. No, I, that was Willard, no, that was Lowmeyer, Harvey Lowmeyer I give him.

Q. What time during purchase did you give him the name Lowmeyer?

A. I think that was when he asked me, I think that was on the bill of sale when he started to write out the bill of sale, you know.

Q. Well, did you know at that time that he wasn't going to say Mr. Lowmeyer could I see your identification?

A. Well, no, I didn't have any -- Well, no, I didn't know if he was going to ask me for it or not.

MR. LEHNER: The question that Mr. Gannon is getting at is the reason you didn't buy it in Atlanta, but bought it in Birmingham was that you thought you needed to show some identification and then the time came for the identification, what's your name, and you say Lowmeyer and you didn't know that the next question was not going to be, well, Mr. Lowmeyer let me see your identification?

A. No, I didn't.

Q. And then what was the purpose in not giving Galt since the reason you go to Alabama was that you had the Galt identification?

A. Well, I would have used the Galt in the final, if it came down to either getting it or not getting it, but I don't think there's anything, something, something like this would possibly, be criminal activity, I don't think there's any point in jumping in on the first thing and, I would have told him, I would have probably have told him that, well, I forgot my identification, I'll come back and get it in a few minutes. But it's always been my experience if you have the money you don't have to worry about, too much about other things.

Q. Well, let me ask you under what circumstances would you have used the name Galt in purchasing the rifle at Areo Marine?

A. Well, probably I would have left there and I would have went and talked to him and explained the situation to him and then I probably would have sent somewhere else most likely and, if I, based on my past experiences on things like this, I probably

would have went and tried, that right probably, I would have tried to get some wino's identification and if I couldn't done that then I would have went ahead and used the Galt, but -

MR. GANNON: Did you give an address with Lowmeyer?

A. I believe I did.

Q. Was it an address that you had used before?

A. No, I don't believe so. I think it's just an address, parking, I think it turned out to be a vacant lot, but, that was it.

Q. But why that address as opposed to something else? Were you familiar with that address from some place else?

A. No. I was familiar with, I probably seen the street somewhere. Well, I think there's been something written that if the owner would been familiar with the address he would have found out it was a vacn't lot or something, but I knew, I knew the, that wasn't prepared too well, that type of operation there, I just wouldn't get involved in that type of deal where you have to improvise on doing something.

MR. LEHNER: Why didn't you do the same thing in Atlanta, go in there, the guy ask you what's your name sir, for the bill of sale, you give the name Lowmeyer and then if they say where's your identification say you left it home and walk out? Why didn't you do it there?

A. Well, I could have, but I just thought it was easier and more appropriate to get it in Alabama. I mean I could have -

Q. Why?

A. Well, I had identification and if I -

Q. Well, you weren't planning to use your identification, you were planning to make up some name as you did, Lowmeyer?

A. Well, I'm planning to use it in the last resort, but I don't know, I just felt more comfortable with the Alabama identification. The thing wouldn't be --

Q. But since you were in Atlanta and you figured your next stop is going to be, possibly Mexico why not do the Lowmeyer bit in Atlanta and if it didn't work then take the Galt identification and use that in, in Alabama?

A. Well, I could have very well did that I suppose, use the, use it, but I had in the back of my mind of getting the rifle plural or singular, whatever it was regardless of what, using my identification or not. So there's, I can't get, you know, answer all these judgment questions. There is a certain fine distinction between them. I'm just, probably a lot of things I did were not in hindsight they were not the most brilliant, but-

Q. But don't you think that would raise some suspicion if you were in Aero Marine and said, Lowmeyer, he says, could I see your identification sir, and you say, woops, I have no identification and then the man sees you get into the car, don't you think that might have raised some suspicion since you were the last person in the country that wanted to have anybody suspicious of you especially buying a weapon?

A. Well, I don't know, I suppose if that would have happened that's a hypothetical question, I suppose I wouldn't have went directly to the car. I might have went, worked around the position where I could have seen where, whether he was watching

me or not or I might have let the other party drive the car.

Q. Was Raoul in the car or outside of the car when you were in Aero Marine?

A. No, he was, no he would have been outside* of the car.

Q. He was inside or outside?

A. He was inside.

Q. Inside, in the passenger seat?

A. I guess.

Q. Where was the car parked?

A. I don't know, I just don't have no clear picture of this establishment. I know there was an airport there, and that's the, about the only thing I can remember about it.

GANNON: Why didn't Raoul - Was there any reason why Raoul didn't come into the store with you to look at the rifles as you were looking at them?

A. Well, I don't know, I suppose the same reason he didn't go to purchase them in the first place. He's, if he could have made the purchase -

LEHNER: What time did you buy the rifle about?

A. Well, it was in the afternoon I couldn't tell you what time.

Q. Early, mid, late afternoon?

A. I would guess it would be two or three o'clock.

Q. All right, when you came out of the store with the rifle what did you do?

A. Well, I went back to the, to the - I know I went back to the motel.

Q. Well, did you go back to the car?

A. Yes.

Q. Did you show Raoul the rifle?

A. No. I showed him that in the motel.

Q. Was there any reason you didn't show him that in the car?

A. No. It wouldn't been no reason. See, we made two trips, we made two trips down there and I can't get a clear recollection just, from one from the other because they were almost identical trips, and I had a clear recollection of getting the map and finding the street and that there, but I can't, I can't have, I don't have no clear recollection of, of, I don't have no clear recollection of, for some reason, of him going to that gun, to that gun store with me, but --

Q. How was the gun packaged?

A. Well, I don't recall that. I think that was -- The first time?

Q. Yes.

A. I, I, I couldn't say, I know one time it had a - it had, it had a box on it. The second time, I know, I know it was some type of trouble getting a box or something to fit it or something.

Q. Well, the first time you went there, did he show you how the gun worked?

A. The owner?

Q. Yes.

A. I think he, he demonstrated two, three times, he just give me -- I think he might have, maybe he assumed I knew something about it being I was going deer hunting, but I don't think he, I can't, I can't recall all the details.

MR. GANNON: Did he load it for you, or work the action, or anything like that?

A. I think he probably showed me, but I don't have no recollection of that at all. The only thing, the only thing I have clear recollection on of purchasing that gun, that rifle, is getting - having some trouble with me and him getting a map and finding out the right street. We was on the wrong street or something, but I don't even have no clear recollection of him being in the car when I purchased the rifle. But I can't -

MR. LEHNER: Well, when you first bought the rifle did the owner put a sight on it, did he, the operator of the store put a sight on the gun for you?

A. Yes.

Q. So you, did he show you how the sight worked?

A. No.

Q. Did you put the gun up and sight it in the store?

A. I don't think so.

Q. Did you buy ammunition with it? A. Yes.

Q. Did you ask for a particular type of ammunition?

A. No, just whatever went along with the rifle.

Q. Did he show you how to load it?

A. I don't, I don't recall those details. I just can't recall them anymore.

Q. Well, were you familiar with rifles?

A. No.

Q. Had you ever shot a rifle before?

A. Army rifle, yes.

Q. So you were familiar with rifles?

A. Well, not that type, Army rifles, M-1.

Q. Well, what type of rifle was this first one that you bought?

A. I don't know.

Q. Was it a bolt action?

A. I couldn't say if it was or not.

Q. Was it pump action?

A. I don't know.

Q. Do you know the difference?

A. I didn't think it was, I know the difference.

Q. What is an M-1?

A. Well, I took them a part blindfolded, I know what them are, they are -

Q. They are bolt actions?

A. No. They are semi-automatics.

Q. What does that mean?

A. Well, you just, all you had to do was keep pulling the trigger on the automatic.

Q. How did this rifle differ from the M-1 that you knew?

A. Well, I know I could tell the difference. I can recall there's a difference, but I can't, I can't, just don't know anything about that first one or the second one, either one. I can't explain the mechanisms in it.

Q. What were the instructions that Raoul gave you for the purchase of the first rifle?

A. Well, it was the name more than it was - It was -

I think what - I think the name was similar to the second one but I think it was a difference, a different number. I think what I made, made the mistake was in the number or something, but, of course, there might not have been no mistake, he might have given me the right one and I got the right one and he may have decided he wanted the other one, but I can't, I can't give you any information on those rifles, I just don't know.

Q. You told the owner that it was for shooting deer?

A. That's correct.

Q. And you gave him a name, the type of rifle, is that what you gave him or did you give him a number, or did you give him both?

A. I really don't know what I give him. I have a recollection that there was a name and maybe I give him the wrong number or maybe I give him the right one.

Q. In the store did you pick up the rifle to feel its weight?

A. No, I don't think I paid any attention to it.

Q. Did you put your eye up to the mechanism so that you could sight it?

A. No, I don't have any -

Q. Did the man fix the telescopic lens so that it was adjusted for a particular distance?

A. Well, I don't know if he did or not. I think he - I have some recollection of me, me looking at it once and looking at it, handling it, and giving it back to him and I think he showed it to me, and I think I told him just, that's all right, and that was it. There was no explanation of details.

I imagine he asked me if I knew how to use it and I probably told him yes, and that was it.

Q. How much did you pay?

A. I just can't recall, it was considerable from my -

Q. And then you took the gun and, the rifle, in the box, was that the same box it came in?

A. The first one?

Q. Yes.

A. I can't - I can't even recall the first one, if it came in a box or not. I recollect the second one because there was some problem getting a box to fit it. But --

Q. Well, you took the rifle out and you put it back, you put it in your car, what part of the car did you put the rifle?

A. I can't recall that either.

Q. And where was the car parked?

A. I don't know. It was somewhere in that area.

I can't, I can't recall.

Q. And then what did you tell Raoul as to what you bought?

A. Well, he, he looked at it and that's -

MR. EVANS: Well, could you sort of just go through just what happened when you got to the room? I mean, you had just been out and you were nervous not being familiar with buying guns and you had been put in a situation where you might have been in a little jeopardy and you come back now, and you take the gun up to the room, what happened then?

MR. LEHNER: One second if I can. You came back

and you took the gun and put it in the back seat of the car, or did you put it in the trunk of the car?

A. I don't know, I can't recall that at all.

Q. And what did Raoul say when you got into the car about the gun?

A. I have, I have some difficulty in recollecting if he was even in the car. I've been trying to place whether he was in the car. That's when he was asking me a while ago if he was in or out, I can't even recollect whether he was in or out. I know we was looking for that address, but -

MR. GANNON: Well, do you remember him getting out of the car after you had decided where the, where the supply store was, or where the sporting goods store was?

A. Let's see, I'm trying to - I'm trying to get these two trips separated where I won't have to get them too confused. Suppose I --

Q. May be this will clear it up, if I understand you properly what you said was that you and Raoul setout together to go to the Aero Marine to buy the rifle and you got lost and you had a stop, maybe at a gas station get a map to figure out how to get on the highway or road to lead to the airport where this sporting goods store was, now, do you have any recollection of Raoul leaving you there or if he didn't leave you there then he must have come with you to the airport, to the supply store.

A. Well, let me, let me try to think, this second trip, when I made it, that was the next morning. I can't, I just can't get these two, two trips separated.

Q. Are you sure you made the second trip by yourself?

A. Well, let's see, the second trip. I know I made one trip by myself. I'm, I'm a hundred percent positive of that, but the other one was, the other one I'm kind of vague on. I think, I may have to kook at these back papers to see on that.

Q. Well, on the second trip hadn't Raoul written out the name of the rifle exactly what he wanted?

A. Yes, that's correct. And more specific.

Q. There was no need for him to go on the second trip?

A. No, I think I had, I think I got some kind of a catalogue on the first trip, and I have some recollection of showing him that in the motel rather than showing it to him in the car. So, if that is the situation then I apparently went back to the motel for something.

MR. KERSHAW: Well, that's something I was going to ask you. Do you remember taking the gun out of the car when you got to the motel?

A. No, I don't recall taking it out. I took it out, but I don't recall -

Q. But you do remember taking it into the motel and showing it?

A. Well, when you fool with guns and things you got to, you sort of, you're just not in a condition where you remember all the details of it. I know I - I know evidently I took it out of the car, I know I took it out, but I can't remember all the, if I opened the car or opened the back or whatever it was, and carrying it up the steps and all that.

MR. EVANS: Try and recall what happened when you got back into the room, the conversation between you and Raoul relative to the rifle and what caused you to get on the phone and call Aero Marine to exchange it, do you remember that?

A. Well, there was some mention that it was the wrong type or something.

Q. Now all right, does this mean that he looked at the rifle?

A. Yes.

Q. Okay. How did he go about examining it to determine that it was the wrong rifle?

A. Well, I think he just looked at it and probably looked at the chamber or something, and I don't remember too many details. I think I had a catalogue, but I'm not certain. I think they give me some kind of a book and I think he either indicated in the book or wrote it down, I'm just not positive on that. But, well, I think you'd have to find out what the practice was of the sporting goods store whether they give you books or not or whether they did.

Q. Well, were you upset with him when he said this is not the right gun, I mean, did you get a little pissed off since he had been in the car with you at Aero Marine and he could have saved you this extra trip which again might jeopardize you because you are back in the public eye and you are in a gun store and sometimes police go in gun stores to buy guns or they come in to check the licensing or something?

A. Well, I'm not a hundred percent sure he was with me on that first trip. I think he was with me, I know he was

with me in a tavern on a side street, but I'm not certain that he was with me on that first trip.

Q. Well, the fact that you got the wrong gun did that annoy you?

A. Well, not especially, it's, well, it, it, it inconvenienced me, but of course there was, I assumed that there was certain financial rewards for going back now. But the whole operation was something that, that I wouldn't setup myself. I wouldn't, that's kind of amateurish to me, going in a gun store and -

MR. LEHNER: What financial reward did you have in mind?

A. Well, if I was going to get some money for the later transactions that would be financial rewards I suppose.

MR. GANNON: But you had already taken one risk being when you went in there the first time, now, you are going in there, you had to go in there a second time, a second risk and really it wasn't your fault you had done the best you could. The problem was that he hadn't given you specific enough instructions.

A. Well, I still don't know whether he did or he didn't. These guns are highly technical from what I know now, and with my ignorance, I could have very well gave him, gave the manager the wrong information. The information I explained to him was a deer rifle and I got some recollection now that the salesman said something about, the second trip, there was a difference between Alabama deer and Wisconsin deer. Now if there is, I don't know if there is any difference or not, but I think I explained it to him that I was going hunting in Minnesota or Wisconsin or something, and he explained the difference.

MR. LEHNER: What did he say was the fault of the first gun?

A. What did who say?

Q. Raoul.

A. Well, he said it was the wrong type.

Q. What did he say was, what was the deficiency in the first rifle?

A. I don't know.

Q. And then what did he say he wanted in exchange for it?

A. Well, he either mentioned the catalogue or maybe made a mark on the catalogue, I don't know. I explained all this to Woods, he's the owner of the joint where I went back, but I can't recall what I explained to Woods or anything like that.

MR. GANNON: Did Raoul say it was too light or too heavy or what?

A. I have no idea. I think he may have mentioned caliber, but I'm just guessing on that, the number or something.

MR. EVANS: Who made the call, you made the call or he made the call?

A. Yes, I made the call.

Q. What time did you go out the next morning?

A. Well, let's see, I think he told me - I think it was on a - I think it was on a Saturday, but I'm not sure, I'm not even, I'm just not certain what time it was, I can't recall.

Q. Okay.

Did Raoul know that you were returning the next day? Raoul was there when you made the call the second time for

the call to replace this weapon with another weapon?

A. Yes. But I don't really know where I made the call at, whether I made it from the motel or outside, I think I made it - I can't recall now where I made the call at.

MR. LEHNER: What time was it that you made the call?

A. Well, let's see, that would be later in the day, I think what time it was, I couldn't say.

MR. GANNON: Did you spend some time with Raoul that night, I mean did you go out to dinner, go out and have a drink together?

A. No, I didn't go anywhere.

MR. LEHNER: Did you test fire the first gun?

A. What?

Q. Did you test fire the first gun?

A. Did I personally test fire it? Q. Yes.

A. No, I never did, I never did anything to it.

Q. Did Raoul test fire the first one?

A. No.

Q. Was it test fired by anybody?

A. Not as I know of. I read in the paper later on that it was, it was deficient, but I don't know, it wouldn't matter.

Q. Was there any reason that you didn't exchange it the same day?

A. Well, let's see, I think apparently he didn't have time or something, maybe it was too late.

Q. Who is he?

A. The owner of the gun store.

Q. What happened then between you and Raoul?

A. Well, after I decided to get the gun the next day, we discussed that I would meet him at the motel the next day or something. I think I rerented the room for another day and I don't know where he stayed at, I took him downtown, I think, somewhere and -

MR. GANNON: Do you remember where you dropped him off downtown, this was in Birmingham, right?

A. Yes. I think it was the post office or something.

MR. LEHNER: What was the plan?

A. The plan was, well, the plan hadn't been worked out, I'd go back the next day and get the rifle.

Q. And then what?

A. Well, we didn't discuss that until the next day.

Q. So the next day you went and got the rifle and then what did you do?

A. Well, I brought it back to the - Let me see, now, I think I took that, I think what happened is that I called that Marine supply place that night and first I'm not, on this testimony I'm giving on this, I'm not being bound by anything.

Q. This is the best recollection as of now.

A. Yes. I think I called him that night. Now, I don't know if I took that rifle back there that night or the next morning, but now, I think now I have a recollection of taking it back there at night. See, that would have been - That would have made three trips out there wouldn't it; so, if I took it back that night I think what he told me is come back and

get it the next day. Now --

Q. When you got the rifle was it the next day, when you got the second rifle, it was the next day?

A. Yes.

Q. Did you then bring it back to the motel?

A. Now, I forgot about this third trip, I'm not trying to confuse you, I think that's probably, that's when this Raoul went out there with me, maybe on the second trip, because on reflection I don't think he went out there the first time. I think I took him back after we located the place and then - Now, what was the question again?

Q. When you got the rifle did you bring it back to the motel? The second rifle?

A. When I went out the third time, I went out there three times, I think it was.

Q. Well, when you got the rifle, the second rifle, did you bring it back to the motel?

A. Yes.

Q. Did you show it to Raoul?

A. Yes, that's correct.

Q. Did he spend the night there with you at the motel?

A. No, he didn't

Q. How did he get to the Motel so that he was there the next day?

A. I guess he drove up there or took a cab or something.

Q. Where did he stay at that night?

A. I have no idea.

Q. How did he get into your place?

A. Just knocked on the door and that was it.

Q. Was this before you went out to, to get the rifle?

A. Yes, that's correct.

Q. And he waited there while you went to get the rifle?

A. Yes.

Q. Was there any reason why he waited while you went to go get the rifle?

A. Well, no, I can't think of any.

Q. Where did you drop him off the, that first day. The day that you bought the rifle, bought the first rifle?

A. I don't think I dropped him off.

Q. Bought the first rifle?

A. The one, I don't have any recollection of dropping him off except the one time I think I took him down to the post office.

Q. That was the first day, the day that you bought the first rifle?

A. No, that might have been, when I dropped him off at the post office. I think that was -- I think that was the, no, that wouldn't have been the first time that would have been the second, the second time.

Q. So that was the night that you bought the first rifle, you dropped him off at the post office, is that right?

A. Well, let me, let me try to get this straight. The first rifle, let's see, now, I went - Let's see the second - Let me try to get these trips to the gun shop down. You see the first time I bought the, I bought the, I purchased the rifle, I came back to the motel and he left and I went,

I went, I apparently went there again that night, and come back. Let's see, he came back the next morning, no, I think it was the second, the second morning, I think, I think I dropped him off. Yes, I dropped him off at the post office one time but I don't know which time it was.

Q. Well, you say the second time, you say there's three trips in all and the second trip -

A. Well, this third trip got me confused, now, I can't -

Q. Well, let's wait on the third trip until we finish the second trip. You say the second trip you go back with him and you leave the gun off, but you don't get the second gun, right?

A. Yes, I think that's correct.

Q. What was the reason you left it off without getting the second gun?

A. I think, I think the, I think ---I think I lefthim off at the post office before I went to get the second gun because he said something, the gun owner said something about, he didn't have time to do it that day.

Q. Well, the second trip which is the first day, you return the first rifle, but don't buy the second rifle, is that right? And Raoul was with you on that trip?

A. Now, run that down to me again?

A. Now let's see, the first, your best recollection now is the first trip you buy the rifle, you are by yourself; the second trip is that same first day but it's later in the day, you go with Raoul, you return the first rifle, but you don't pick up a

second rifle, is that, is that what you are saying?

A. Yes. But I don't want to be bound by that because I think that's the way it happened. Because, this is from, this is from, I'm just trying to reconstruct this, I don't have no recollection of it. I know, I know the guy I purchased the rifle from he told me he, he couldn't get it done that day. I have somewhat, a fairly good recollection of that, but I can't, I don't think I took the rifle out that morning and got it in afternoon, I think I took it that night, but I just can't, I just don't have any recollection on it.

Q. Where is Raoul that night between the first day and the second day, where does he spend that night?

A. Well now, he, he, on that first night he left, I think he went, apparently went downtown or something.

Q. Where did you take leave of him? Did you drop him off somewhere that first night?

A. Not, not that first night.

Q. Well, where did you take leave of him? Where were you and he when you separated?

A. The motel room.

Q. Was this after you dropped the gun off, you returned the gun?

A. I don't know if it was or not. I can't, I can't, I can't remember it.

Q. As you recollect now, your best recollection, which of the trips did he go, did he go with you to Aero Marine?

A. Let's see, I wouldn't, I wouldn't want to get settled on that until I read some of these papers. You, I spent, I wrote

that stuff down eight years ago and I can't, there's so much running back and forth during that 14 hour period, 16 hour period whatever it was, I just can't get in my head. There was also this problem of getting lost and getting maps, I can't get it in my head what all we done.

Q. Well, let's skip that for a while and let you think about it.

A. I'll go over the record, I know what the record says, the sales record and all that, but they don't, I can't -

Q. Let's skip it for a second and go, go forward and then maybe we can go back.

A. All right.

Q. After you purchased the second rifle, did he see the second rifle?

A. Yes.

Q. Did there come a time after he saw the second rifle that he approved of it?

A. Yes.

Q. Did he test fire that second rifle?

A. Not as I know of it.

Q. Did you test fire the second rifle?

A. No. I didn't test fire it.

Q. So you never fired that second rifle?

A. No, no.

Q. After you showed him the second rifle did there come a time that you and he parted company?

A. Yes.

Q. How long after you showed him the second rifle did you and he part company?

A. Shortly, not too long after it.

Q. And, what was the agreement as to where you were going to again meet?

A. In Memphis.

April 3rd, New Rebel Motel.

Q. And when was the time that you made that agreement to meet him at the new Rebel Motel on the 3rd?

A. Well this would have probably been March 29, that would probably be the day that I purchased it. I got - I'm clear on this from here on out and I was suppose to be in Memphis at the New Rebel I think it was May the 3rd and I decided I'd drive slow from Birmingham to Memphis and I left Memphis. This is in sequence of events and there's no duplication, I went to Florence, Alabama, I think to Decator, and some town in Mississippi.

MR. GANNON: Was there any special reason why you did not go back to Atlanta because you still could have made Memphis on the 3rd of April even if you went back to Atlanta? Was there any special reason for an agreement to drive slowly on the way to Memphis?

A. There wasn't no agreement, but that was my suggestion because I wasn't interested if I had to go to Memphis to drove back to Atlanta and then to drive way back to Memphis. I know the FBI says I went back to Memphis April, but that's -

MR. EVANS: You mean Atlanta:

A. Atlanta, yes.

MR. LEHNER: Well, what was the reason that they concluded

that you went back to Atlanta?

A. I don't think - I think Dr. King made a decision April 1 to return to Memphis I don't think there, and I think they wanted to show that I didn't decide to go to Memphis until April 1.

Q. You brought, you picked up your clothes on April 5th from Atlanta is that right?

A. Yes.

Q. When did you put those clothes in?

A. I must have put them in around March the 26th or 27th.

Q. Now, you recall that you took leave of Raoul and decided to meet him in Memphis or he told you to meet him at the New Rebel in Memphis and when was that that you took leave of him?

A. What date?

Q. Yes.

A. I think it was the 29th.

Q. Okay, now thinking back, do you remember which time Raoul went with you to the Aero Marine? If at all?

A. No, I can't think. The only thing I can think of clearly is certain things stand out and certain things are blurry. I know there was trouble finding this place because of some type of a street number or similar name or something. We had trouble finding them and we had to check a map. What this place, what the front of this place looked like and conversation I had with him, I just don't have any recollection of that. The only thing I remember about that place is it was near an airport on the left and I can't, I can't remember

anything else about it.

Q. What I'm going to ask you to do is to think about this, to consult whatever papers you have and see if you could recall how many times you went to Aero Marine and which time if any Raoul went with you?

A. Well, I can't, I can't find that out until he makes some arrangements to get these papers off Lesar. I wrote him certified letter, but I can't -

MR. LEHNER: Which papers are these, are these the papers that you wrote to Huie?

MR. RAY: Yes, I wrote these out in 1968, but I made several revisions after I wrote them to him because I made errors and he corrected some of the revisions, but some of them I don't know if he corrected all of them or not.

MR. LEHNER: If you wish you can sign a form now to give to us so that we could give it to Lesar, who lives in Washington and we could pick this up and bring it back the next time, if that's what you and Mr. Kershaw, wish or if Mr. Kershaw, you wish to contact Mr. Lesar yourself and have him send it to you whichever is more convenient to you, would be fine, but we would be willing to cooperate if you require it.

MR. RAY: Well, if you want to I could give you a certified letter and mail it to you and you could give it to him and I could send a note that, that you could have the papers. But-

MR. LEHNER: Or you could send a letter directly to him with a copy to us telling him to please give that to us.

MR. RAY: Well, Arthur Hanes has tim too, maybe you'd

be able to get a copy from him. See these papers come, the way I got these papers, they were turned over to an attorney, in Chattanooga, Robert Hill and I had to sue him to get them in 1972 under a writ of detinue and I got them off and attorney Jerry Sommerson, from Chattanooga, who represented me and then I sent them straight to Lesar, Bernard Fensterwald and that's the last I saw of them.

MR. KERSHAW: Well, let me suggest this, suppose you send a certified letter to Lesar with a copy to Mr. Lehner and asking Lesar to give those papers to Lehner and in the mean while I'll call Hanes and see what he's got.

MR. RAY: Now, on these particular papers there's two pages missing out of them.

MR. KERSHAW: Well, whatever he's got, he can't give what's missing.

MR. RAY: Well you might get the rest of them off of Hanes.

MR. KERSHAW: These papers that you, are in, are asking for are handwritten papers that he has?

MR. RAY: That's correct.

MR. LEHNER: Okay. We are going to turn off the machines if that's all right with you and end the interview. It is now 4:14.

MR. EVANS: The entire tape has been transcribed by Louis Hindle, Stenographer, Select Committee on Assassinations.

(End of April 29, 1977, interview with James Earl Ray).

THE FIFTH INTERVIEW WITH JAMES EARL RAY AT THE BRUSHY MOUNTAIN STATE PENITENTIARY ON MONDAY, MAY 3, 1977 at 10:07 A.M.

MR. LEHNER: Okay, it is now seven minutes after 10 a.m. It is the 3rd of May, 1977 and everybody will identify themselves for the record if it is all right.

I am Robert Lehner, Deputy Chief Counsel, House Committee on Assassinations.

MR. EVANS: Ed Evans, Chief Investigator, Select Committee on Assassinations.

MR. GANNON: Tom Gannon, Staff Counsel, Select Committee on Assassinations.

MR. KERSHAW: Jack Kershaw, representing James Earl Ray.

MR. RAY: James Ray.

MR. REVEL: Gary Revel, Special Investigator for Jack Kershaw.

MRS. KERSHAW: Mary Kershaw.

MR. HINDLE: Louis Hindle, Stenographer, Select Committee on Assassinations.

MR. LEHNER: All Right.

Before we start asking you questions, Mr. Ray, is there anything you would like to bring up to us?

MR. RAY: This may sound somewhat odd, but I do keep pretty busy at the penitentiary. I can't spend all my time, you know, reviewing these records and all that stuff. A lot

of records I don't even have, but as I anticipated sometime down the road where there is going to be conflicts with what I said nine years, I mean, not substantially. But, there's going to be some kind of conflict. And I have all of these records scattered around. I think if I ever, if it is necessary to testify for public record or something I'll have my brother or someone go around the country to lawyers and bank deposit boxes and collect this stuff. And like I mentioned, in here I've, it keeps me busy. I know there's work to do, but you have to have some type of exercise plus, Mr. Kershaw I have to confer with him, all the time, I just don't get too much time. Now, on these, I mentioned last week on a book I believe you asked for it, called the "Assassination of Martin Luther King" by Jeff Cohen, and you wanted these names of, I think, Willy Green and other things.

Now, I'll take a couple of minute of your time to show you these. I think I got all the pages marked out here, 42, 44, here's the Willy Green on page 42. I'll let you make a duplicate copy when I get through with it.

MR. KERSHAW: What is this on Jim, "The Assassination of Martin Luther King" by Jeff Cohen?

MR. RAY: By Jeff Cohen. I don't know what book it came out of or anything. Someone sent it to me.

MR. KERSHAW: I see.

MR. LEHNER: Okay.

We'll make a copy of what you just gave us; pages 42 and 43 of "The Assassination of Martin Lution King."

MR. RAY: Now, I never heard of that name in there, that Green name, until I got this, I think I got this from someone named Donald Freed sent me this about two or three months ago. And here's page 44, there is two articles on there.

MR. LEHNER: Okay. It's the same publication, the next two pages, 44 and 45. Okay.

MR. RAY: On page 47 there's the ballistics. The reason I mention this, one reason is there's a ballistic expert named Herbert McDonnell. He testified at the evidentiary hearing. I don't know --

MR. KERSHAW: You think he might be a good ballistics expert to talk to?

MR. RAY: I wouldn't know if he is or not. I think I think he makes a practice of testifying at trials and hearings. I don't know anything about him, Fensterwald got him. And the last pages is 56, you see, some of this is for Mr. Kershaw and some of it is for the Committee. So, I'll just show it to both of you, so that -

MR. LEHNER: What publication is this from?

MR. RAY: Well, it apparently was written in book form because they not only have the King case they have the Wallace case, the Kennedy case.

MR. LEHNER: All right, you have just given us in addition with the previously mentioned pages 46, 47, and 56.

MR. RAY: There is also the page, the first page, 39. I don't know what significance that is.

MR. GANNON: We can xerox the entire article.

MR. LEHNER: Okay. We will xerox this if we can during the recess and get it back to you.

MR. RAY: Yes, I don't know. See, they have a duplicating machine. I don't know if it's clear but they, you can take it with you and send him a copy if you are interested, if you're not -

MR. LEHNER: Yes, I don't know everything that we have back at the office. And so, we may have it, we may not. I will make sure that if we don't have it that we have it.

MR. RAY: Now, I have an affidavit here from Charles Stephens. Now, that's from the evidentiary hearing. I, I don't know if that was introduced or not, so, maybe you better - You don't have to read through it. But, I was, you can make a duplicate copy of it.

MR. LEHNER: Okay, thank you.

MR. RAY: And here's William Bradford Huie's testimony before a Grand Jury.

MR. KERSHAW: I don't remember seeing that before, do you remember that, or is that true?

MR. RAY: No, that's -- I don't remember.

You have that?

MR. EVANS: I don't think we have it.

MR. RAY: Oh, yes, well that was suppose to be confidential Grand Jury testimony, but that was --

MR. EVANS: I don't remember reading it.

MR. RAY: And this is the last one. I don't know, this is what the State would prove, they contend, if they went to trial, it's, and I wanted to bring your attention to two things that I thought

I could prove versus what I can't prove, and that would be on page 7; it has me returning to a laundry in Atlanta on April 1, and mean, that's false there, I think we could prove that; and there's another place having me, let's see, what page is it?

MR. EVANS: Oh, could everyone speak up a little bit.

MR. RAY: Well, the other thing I was going to bring up, I can't find here. It has me arriving in Toronto, Canada April 8, 1960, 68. That's false. I don't, I believe, I might be able to prove that. The State was going to contend - I don't know if there is even any significance in that. The only other thing here, I have, I have a tape of CBS did approximately a year ago about the case, and it has, it quotes Stephens on it. I was going to give it to, let Mr. Kershaw have it, but if you want it, there's about two minutes of tape, if you want to listen to that?

MR. KERSHAW: Yes, let's listen to it.

MR. RAY: I think it's Stephens right after he was arrested or something.

MR. LEHNER: Maybe Gary could play it for us right now?

MR. RAY: Yes, it would be about two minutes.

MR. REVEL: It's just barely two - will it need to be rewound?

MR. RAY: You got the wrong side.

RECORDING: That rather than have a trial in which the faked, but which would appear to be genuine, but it would be better for him to go through with a guilty plea proceeding -

MR. RAY: That's Jim Lesar talking.

(Rather) - and then try to overturn that.

(Foreman) I tried to save a man's life. I don't want to gamble a man's life against the possibility of, as long as there's life there's hope and to me and to James Earl Ray the evidence was so overwhelming that we both believed that he would be electrocuted.

(Rather) This raises the most fundamental of questions, how strong was the State's case. Since Percy Foreman chose not to make a contest in Court there is no way to determine how convincing the exhibits and the witnesses may have been to a jury. We do know that prosecution planned to present one eyewitness to testify he saw Ray fleeing the rooming house after the shooting. He is Charles Q. Stephens whose room was next door to the bathroom, and we know Stephens would have been in for tough cross-examination.

(Rather) What about the witness, a Mr. Stephens?

(Foreman) Oh, good gracious, we were looking forward to that one. We were looking forward to that one.

(Rather) He was impeachable?

(Foreman) As many ways as you wanted him impeached.

(Rather) You figure you would have taken him apart on the witness -

(Foreman) No question about it. Furthermore, you had this cab driver, we called him Quick Draw McGraw, he was supposed to say he came by some hour, or shortly before the shot was fired, that he had a call to pickup Charlie Stephens and when he showed up he found that Charlie Stephens was too drunk to ride in a taxi cab. Think about how drunk you got to be not to be able to ride --

MR. LEHNER: I can tell you we have this tape so if you want to stop now fine. This is the CBS show?

MR. RAY: Yes. I just wanted to show what Stephens testimony is.

MR. LEHNER: You wanted to hear it? Why don't we do that --

MR. RAY: It'll be, I just wanted to hear Stephens.

(Rather) -taxi cab. Shortly after the assassination correspondent Bill Stout talked to witness Stephens and showed him a picture of James Earl Ray that the authorities were circulating.

(Stout) Mr. Stephens what do you think of that picture, does that look like the man?

(Stephens) Well, excuse me, from the glimpse that I got of his profile it doesn't.

(Stout) It doesn't?

(Stephens) No, sir, it certainly doesn't. For one thing he is too heavy and his face is too full. He had too much hair, and his nose is too wide from the glimpse that, as I said, I got of his profile, but that definitely, I would say, is not the guy.

(Rather) In fairness it should be noted that the prosecutors say that witness Stephens would not have been critical to their case. What the prosecution did --

MR. LEHNER: Is there anything else you want to hear?

MR. RAY: No, there's nothing.

MR. LEHNER: If you want to hear it over, we, I think we could play the whole thing later when we recess.

MR. KERSHAW: If find Mr. Stephens equipped with remarkable

eye sight never been recalled it before, I think that Ray, you could look at his profile and ascertain about somebody's nose is wide or not.

MR. RAY: See, there's, there's a gap in there when I turn the tape over. It's not, you can't notice --

MR. LEHNER: Is there anything else that you want to bring to our attention now before we start?

MR. RAY: No, I was mainly concerned about these other records and this. Evertime I've ever testified, even in front of a television or even court proceedings, or nothing, there's never been any advance preparation, and, that's kind of amateurish but it just works out that way. I know I have testified twice and I think the first time it was a deposition in 1969 in the State prison in Nashville. We was suing Percy Foreman and Bradford Huie, and Foreman, he came in raising hell that he had to catch a plane os we never had the time to decide on what we was going to testify to. I think the other time I testified was live testimony in Memphis in a Habeas Corpus hearing and Jim Lesar, he did a lot of work on the case, but he claimed that prosecutor Henry Hill is harassing him and we didn't have a chance to review the testimony and consequently there is a lot of surplus in the record and garbled testimony and things like that, so --

MR. KERSHAW: Yes, I saw that record and I've had

many battles with Mr. Henry Hill and I'm sure he's quite capable of it and he won't get away with it, if he's in the picture again, I'll guaranty you that.

MR. LEHNER: All right, we have these materials and we will make copies of it and return the originals to you and we thank you for all of this.

Just to recap how we left off last Friday, we were going to try to get certain materials from Mr. Lesar, and Mr. Kershaw was trying to get something from an attorney in Nashville. What's his name?

MR. KERSHAW: It's Chattanooga, Jerry Sommers.

MR. LEHNER: Sommers. Ed Evans called Lesar and he said that he would need some days before he got what we requested of him, so, and I understand, Mr. Kershaw, that he has not been successful with Mr. Sommers as of yet. So, what we could do is, if you wish, Mr. Ray, we could go back to your recollection of the Aero Marine incident or we could bypass it if you wish and move on if you want to wait until you get these materials? Which-ever you wish.

MR. RAY: Well, I don't know if I'm interested in aterials right now. But what I'm saying, I notice in some of these hearings like Watergate they were reading off these papers, not from recollection, and if I did testify to something like that which I'm not certain I will, I wouldn't want to go up there and try to remember not

only the 1968 but the '67, but also my dealings with former past attorneys, it gets in somewhat detailed, but --

MR. LEHNER: I would say this, that if you were going to testify before our Congressional Committee, that you would not do that until you satisfied yourself and Mr. Kershaw satisfied himself that you had opportunity to review your prior statements.

MR. KERSHAW: That's right, in other words, you can, it is permissible, I'm sure, correct me if I'm wrong, Mr. Lehner, for a witness, for you, to refer to notes because after all this happened eight or nine years ago. You made the notes then and by studying and reflecting, you can make notes now which would refresh your memory.

MR. LEHNER: I would say this, that just as any judge would do in a court if a witness said, may I refresh my recollection, that is routinely done and I would think that the Chairman of our committee would do that and I would so recommend as Deputy Chief Counsel that he be given that opportunity.

All right.

Let's, let us go to the Aero Marine incident. You told us that you came from Atlanta to Birmingham and the reason you came to Birmingham was because you had ID, identification, under the name of Galt and, therefore, you thought it would be wiser to try to purchase

a rifle in that state of Alabama rather than the state of Georgia, is that correct?

A. That's correct.

Q. Why don't you, we retrace ourselves so we get ourselves in continuity, and tell us about from the time you left Atlanta in route to Birmingham. I think this time you told us you left certain items of personal property behind, including your - they gun that you had.

What kind of gun was that, that you --

A. .38

Q. .38?

A. Yes.

Q. And where did you leave that?

A. In the basement.

Q. What part of the basement?

A. I'm not sure. I think it was up towards the front, because he, in order to enter the basement, you enter through the back part of the house. There's steps leading down, once, you get down stairs there's a furnace and then you got to go up towards the front again which would be considered the back.

MR. EVANS: What, did you have that in the rafters or under some bricks?

A. I put, I wrapped it up and put it in the ground, but I don't recall whether it was in the ashes or just dirt,

or something, I know there was ashes or dirt or something in the basement.

MR. LEHNER: As far as the places that you ate when you were in Atlanta, where did you eat during that week you were in Atlanta?

A. Well, usually breakfast or something like that there's a -- Buy the way, I checked and I found out that that was 14th Street, you know, where I had my room at.

Q. Garner's Rooming House?

A. Yes. It was on 14th.

Q. 14th Street and where?

A. And, I think it's about a block down from Peachtree Street. I seen that in some story there. I don't know which --

MR. GANNON: Does that, that squares with your recollection?

A. Yes. I think I mentioned 13th or 14th last week or the last time you were here.

MR. LEHNER: What restaurants would you eat in, did you eat in, in Atlanta?

A. Well, this one place, now, would be 14th. You go to 14th and Peachtree Street, turn right and in the middle of that same block there's a small restaurant there. Its, it runs parallel with the street, something like, it looks something like a boxcar except it has windows init. I ate there --

Q. It has what in it?

A. It has windows in it, you know, but it's one of these boxcar type things. I think I usually ate breakfast there. There was another place about two miles I ate a couple of times. That would be dinner.

Q. What place was that?

A. I think that's where I made the mark on the map in that general area.

Q. What's the name of that restaurant?

A. I don't know, it's on one of the main streets and it's on the right-hand side of the street going away from where I was living at.

MR. GANNON: Whicin direction do you remember?

A. Well, it must be north. North.

MR. LEHNER: North of Garner's?

A. Yes.

MR. GANNON: Excuse me Bob. When you say the other restaurant was like a boxcar do you mean like a diner that sort of thing?

A. The first one, yes.

Q. And the one that's you say about a mile away from where you live or did you say two miles?

A. I'm not, I don't have no clear recollection. I was just driving around.

MR. LEHNER: Was this, was this restaurant, when you said noth, that was noth of Garner's, the one you had dinner in, was this the one that was on a corner, mid block, how could you best describe it for us if we were to try to find it.

A. Well, going north it would be on the right-hand side of the street. It would be - I have some recollections

on the corner, I don't know, either that or there was an alley right beside it. It was a small place. I think they had beer there if I'm not mistaken.

Q. Could you drive, describe either the outside, any name you either saw on it, and the inside?

A. I was just down there about three times. I don't, I don't recall the names of either place.

Q. How did it look like, how did it look inside?

A. Well, when you went in, they had stools on the left, I think they had booth's on the right because I recall sitting in a booth a couple of times.

Q. Did you go there with anyone?

A. No.

Q. And the first place the one that looks like a boxcar, did you go there with anyone?

A. One time, yes.

Q. Who did you go there with?

A. The individual named Raoul that called himself --

Q. Which day was that, that you went there with Raoul?

A. That would have been in the evening of the first night I arrived there, about six, seven o'clock.

Q. That was the evening after you had the wine with Garner?

A. That's, that's correct.

Q. Where else did you eat in Atlanta?

A. The only other place I could recollect I've ate more than twice is another place on Peachtree going up, downtown, in the, on Peachtree. It would have been about four or five blocks going down, I guess it would be south. It was a drive-in

and had a large parking lot. It ran different directions than the - it didn't run parallel with the street, it went the opposite. It just had stools in it. It was kind of a long, longer than the average restaurant.

MR. GANNON: This would be four or five blocks away from the rooming house?

A. That's right. I think I stopped in there a couple times on the way to the bank or something. I wasn't in there, but maybe three times althogether.

MR. LEHNER: What bank are you referring to when you say -

A. Well, I went to two different banks to cash in Canadian money, but I don't recall the names.

Q. Where were the banks?

A. Well, they were on Peachtree Street, but they were on the other side versus the two restaurants they were on the left-hand side, both the restaurants were on the right-hand side.

Q. As you are going -

A. Downtown.

Q. -downtown from Garner's?

A. I assume that's south. I believe that's south, yes.

Q. Could you describe the banks?

A. No. I couldn't describe the banks.

Q. Were they large banks or did they look like small banks to you?

A. Medium in size.

MR. GANNON: When you exchanged the money did you have to sign a form -

A. I don't recall that.

Q. a receipt for the money exchanged?

A. I don't recall signing it, I may have, but I don't have no recollection of signing anything.

Q. If you had signed a receipt for the money which name would you have used?

A. Probably the Galt name, yes.

MR. LEHNER: Were these banks which were circular or do you recall how they looked on the inside, there's different layouts of different banks.

A. I don't have any recollection of those banks at all. The only thing I remember is I thought they were on Peachtree Street on the left-hand side going downtown. I would say they were about a mile to -- a mile and a half from the rooming house.

Q. How far were these banks from each other?

A. I don't believe they were too far, maybe three or four blocks.

MR. GANNON: Were they two different banks or two branch offices of the same bank?

A. I don't recall that, but I think they were different banks. The reason I picked two I didn't want to go in the same bank and try to cash money.

MR. LEHNER: Did anybody go with you to either of those two banks?

A. No.

MR. EVANS: When did you go to the first bank as best you can recall?

A. What date?

Q. When, yes, when, how soon after you arrived in Atlanta did you first go?

A. I may have went the same day. I know I tried to take every take care of everything the first day. I think I probably got the map and probably went to that bank because I was somewhat short of money. Not real -- I wasn't missing any meals but I didn't have too much funds at that time.

MR. LEHNER: And when did you go to the second bank, and when I say second bank I'm talking about that second bank, time, second time you went to a bank?

A. I don't know I could have went the same day. I don't know. I think it was a day or so later.

Q. And which bank did you go to first; the one that was closer to Garner's or the one that was further away?

A. Probably closer, I'm pretty sure it was closest.

MR. GANNON: About how much money did you have altogether, in Canadian money and United States currency at that time?

A. At that time I would just guess 1500, but considerable of it was Canadian.

Q. How much Canadian money did you exchange at the first bank that you recall?

A. I really don't, really don't, can't recall.

Q. Do you recall the second bank about how much?

A. No.

Q. Could you give us approximation of those amounts?

A. No, I really couldn't. It would be really, it would be how much Canadian money I had, and I can't - it was mixed up. I got Canadian mixed in with the English money.

Q. You say, English money, you mean U.S. currency?

A. United States.

Q. What were the denominations of the Canadian currency if you recall? Were they large bills or small bills?

A. I don't recall the Canadian currency. I, all the United States currency I had was usually always \$20 bills, but I, the Canadian, that money is colored, it's difficult to, but I, but it wasn't small bills, I didn't go, I know I had say, I know I had five or six hundred dollars of Canadian money down there. It wouldn't be all one dollar bills or anything, it be 10's or 20's probably.

Q. You say the money was colored, you mean, different colors?

A. Yes.

Q. Do you recall whether they were men or women tellers that waited on you at the banks?

A. I just don't remember anything about that. The only recollection I have is one time going downstairs for something but maybe they cash - that's where they cash foreign currency in downstairs. I remember somewhere I went downstairs. I can't recall whether they were men or women.

Q. What other restaurants or eating establishments did you go to while you were in Atlanta?

A. Well, if I went to any it would just be stopping

by on the way to or from the bank or something like that. I would say 80 percent of my meals were in that restaurant around the corner from the, 14th Street.

Q. That's the diner?

A. Diner, yes.

Q. Have you heard of the restaurant Mammy's Shanty?

A. I heard it from William Bradford Huie.

Q. Did you ever go there?

A. I don't ever recall going there, no.

Q. What did Huie tell you about Mammy's Shanty?

A. He said -- He said something about I went in there or something that I told him. But I just don't have no clear recollection of it. I know that name surfaced from him, but I have no, I never told anyone I was in there, and I don't have no recollection.

Q. Now, the place you went to with Raoul that first night that you go into Atlanta was the one about two miles from Garner's?

A. No, it was right around the corner from Garner's.

Q. The, that would be the diner?

A. Yes.

Q. And that you had most of your meals there?

A. That's correct.

Q. But I think you said you had about three meals in the one that's about two miles or so away?

A. Yes.

Q. What other restaurants did you go to besides these two?

A. Those three are the only ones I remember plus the one up Peachtree Street about four or five blocks from -- It sits on kind of a hill, a hight place, the street raises up, and that's the only one, other one I recall.

Q. The diner, the one two miles away, that you went about three times and the only about four blocks away?

A. Yes, none, I don't know the names of none of them. But none of them would be, would have a fancy name to them like Shanty, what did, whatever name.

Q. Mammy's Shanty.

A. Mammy's Shanty. These were just rest - transit restaurants, probably.

Q. And the only one of these restaurants that you ever went to, or the only time, let's put it that way, the only time you ever went to any restaurant in Atlanta with anyone else was the first night you went to the diner with Raoul?

A. Yes. There was never, I can't recall any other time. The fact is, I had no association in Atlanta with anyone else.

Q. Did you talk to anyone other than Mr. Garner and Raoul while you were in Atlanta?

A. Well, Garner, I think his sist- his sister run, really he was, she may have said something to me once or twice but I stayed pretty much to -- it really wasn't a room, it was just a doctor's reception place.

Q. That's where you were staying? A. Yes.

Q. How far is that from Garner's Rooming House where he stays?

A. I don't think it's over 50 feet. There's two buildings together.

Q. Who was with Garner at the time that he was drinking wine and you had that wine with him that first night?

A. He was with, I guess, I assumed the other fellow was a wine drinker too because they were both drinking, but he wasn't, I don't believe he was as bad off as Garner was.

Q. Garner was further drunk?

A. Yes.

Q. When Raoul came in after this about half hour, did he talk with Garner and the second person?

A. I'm not sure, for certain, the second person was in there. He was just in there about a half hour as I recall, may be not that long, but I don't recall if he was even in there, he didn't say too much. He acted like he was, just stopped by for a short visit or something and -

Q. Did Raoul and Garner speak?

A. They may have said hello or something.

Q. Now, after that first time that Raoul was there he was there the following morning? A. That's correct.

Q. And he was there about eight days thereafter?

A. That's correct.

Q. Those are the only three times that you know of that Raoul was at Garner's, the first night, the next morning, and then about eight days later?

A. Well, I think so. I assumed so, I do recall now making a key, trying to make a key to the front door for him, but I'm not sure the key was kind of a complicated key. It wasn't easy to make for an amateur and I don't know if the key worked or not.

Q. How did you attempt to make a key for Raoul?

A. I was taking a locksmith course and I was, I was trying to practice some trades.

Q. Well, did you have the materials to do that?

A. Well, they give you a card and you can go, you can, you can buy a key with a card or something.

Q. Did you go to some place to try to do that?

A. I evidently did because I have a distinct recollection of working on the key for a day or so. I think I gave it to him but I'm not sure, I don't, I'm not sure, it worked. It may have worked, he had to jiggle it around a little. I had trouble because like I say the front door key was kind of a complicated key and I never could get it made just like it should have been.

Q. Where did you go to try to get this key made?

A. Where did I go to make it? I was just making it in the room there.

Q. Well, did you get some material from somewhere to try to make it?

A. Well, I, I wouldn't recall that, but it's really, it's easy to get these keys in any dime store. All you got to do is go in there and show them your, show them your locksmith card and they'll sell you a blank key. So, I don't have any recollection of where I got it at.

Q. Why didn't you just go to some place that makes keys and have them make it for you?

A. Well, I could have done that, but I was wanting to make them. I was sort of practicing one it, so I figured I could make it.

MR. KERSHAW: Professional practice?

A. Yes.

MR. LEHNER: And you recall that you gave a key to Raoul?

A. I think I did but I don't recall if it really worked.

I know we had trouble with the side door and I'd leave it unlocked and then the woman, she would lock it back up. So, I don't think the key was proven reliable.

MR. KERSHAW: Interspersing here I will announce that I have just talked to Jerry Sommers in Chattanooga, who it turns out that I knew very well, and he was delighted to send us his files which will include Jerry's hand written notes and some other papers.

MR. LEHNER: James' handwriting?

MR. KERSHAW: James'.

MR. LEHNER: Yes.

MR. KERSHAW: What did I say?

MR. LEHNER: Jerry, I think you said.

MR. KERSHAW: All right, James', and he will get it off today or tonight. I should have them tomorrow.

MR. LEHNER: Very well. After the eight days elapsed and Raoul came to visit you was it that same day that you went to Birmingham or was it a subsequent day that you went to Birmingham?

A. Well, we from my recollection we, we were somewhat in a hurry, we went that day.

Q. What time, about, did you leave Birmingham - leave Atlanta in route to Birmingham?

A. I don't recall the exact time. I'd say sometime in late morning 9 or 10 o'clock.

Q. Why don't you take it up from that time, the time that you and he were in the car, you might tell us just what you took with you and what you left behind? I think you told us the last time, but just to refresh us.

A. I think what I left behind was the television set. I have some kind of a recollection of him leaving a couple pairs of pants there, but I don't know if there's a, I never seen the pants on any records before. So, I don't know if they were ever found, so, I may be in error on that. But I'm not certain when the pants were left, whether they were left there the first time or the second time he was there. The television set, the pistol, and I'd say some miscellaneous items of no importance.

MR. GANNON: On that eight day, did you know that Raoul was coming that day or was it a surprise to you when he showed up?

A. No, I had no idea.

Q. When did you bury the pistol then? Had you buried that in advance or did you bury that after Raoul showed up?

A. Yes, I had that buried. I don't know, shortly after I came there.

MR. EVANS: In respect to the trousers, how did Raoul happen to leave his trousers? Did he ever change clothes at your place? Did he bring any luggage there or what?

A. I have recollection that he had some luggage once but I can't, probably been the first, I don't know, I think he may have said he had

some luggage or something, but I just can't, I'm just not clear on this luggage. I know he never carried any big suitcase or anything like that, but I had some recollection of leaving the pants there. But if they were there the FBI would have found them, and if they're not why it doesn't make any difference anyway.

MR. EVANS: They would have been the normal trousers, dungaree or suit trousers?

A. No, just dress pants. I never wore dugarees and I never seen him wear them or in any of our associations with dungarees.

LEHNER: What papers did you leave at Atlanta?

A. At that time?

Q. Personal affects, yes.

A. I didn't leave anything at that time.

I just left miscellaneous items. I assumed - I just can't recall the miscellaenous items, whatever that would be.

Q. Well, did you leave there any letters?

A. Well, not at that time. No, I did the second time, but that time I just, I don't recall, it was kind of a rush job. I just, I may have, I think I may have left some, left a note there saying that I may or may not be back later on or something, but -

Q. When you say the second time what do you mean by the second time?

A. Well, I came back there April, April 5th I left some items there at that time.

Q. Well, for instance, the maps did you leave the maps there the first time or did you take the maps with you and then drop them off on the --

A. Well, I don't know, I've had so many of these maps. I can't differentiate. I think I don't even recall leaving any maps there. I very well could have, these stories come out and not all of them are exactly correct, but I assumed you are basing your question on things that have been written in books.

Q. Well, let's talk about the, for instance, the map that you drew the circles on; did you leave it there when you left for birmingham or did you have it with you and drop it off, for instance, when you came back, do you recall or whatever?

A. I know I wouldn't have dropped it off on purpose. If I had a map, anything I left in there probably the second time would have been -- Well, I know I made an effort to get my finger prints off everything, the car and everything, so I couldn't envision me leaving anything there that had prints on it.

Q. That was on April 5th that you made that effort?

A. That's correct.

Q. What about the John Birch letter that you told us about sometime before that, did you leave it there when you went to Birmingham?

A. No, that's when I came back. I think the Birch letter, it wasn't a letter, I don't know, I think it was a pamphlet or something. I got that in California along with the newspaper called the Los Angeles Free Press. I think I got the Free Press off of the newsstand, and I'm not sure about the Birch letter, how I got that, I think how I come about it would have been two ways I called up several organizations

one time trying to find out about this immigrating to Rhodesia and I also went to the book store one time and I had some bumper stickers. I used them in certain locales like I think I had one "Support your local Police" and I was using that in Claifornia one time. I figured the police might leave me, give me a hustle. So, I, now Weisberg said something about an investigator, it might have been someone else, possibly, these had some connections with this Birch Society, but anyway when I did leave Atlanta I left this letter from the Birch Society plus this Free Press newspaper. I figured they would be looking for, harassing him while I got a little breathing spell.

Q. That was on April 5th?

A. That was on April 5.

Q. Okay, let's take it chronologically. We'll get back to that. You drove the car to Birmingham from Atlanta?

A. Yes, I drove it.

Q. Did Raoul ever drive the car?

A. Not as I know of.

Q. Did he ever leave anything in the car?

A. Well, I found a package of cigarettes in a case one time and then this clothing in there, there was a, a few items, I think some of them I threw out from Brimingham to - I know there was some, some things in there that didn't belong to me, but Now, the FBI may have found some, but I know I, I tried to clean the car out between, on the morning of April 5th - between somewhere in Alabama.

Q. Well, when you say you tried to clean the car out you are referring to the time you were throwing the camera

equipment out of the car?

A. Yes.

Q. What of Raoul's did you find in the car that you threw out?

A. I don't know who this thing belonged to, I know one time I looked in the trunk and there was a pair of, I think there was a pair of some type of small shoes like you wear on the beach, something like shower shoes, and some other under garment, but I think I, those I probably threw out, in thinking about it.

Q. You threw that out when you were where?

A. Somewhere, somewhere in Alabama. Either, I would suppose it would been late April 4th.

MR. GANNON: Could you describe, could you describe these items that you recall?

A. I don't even know if they were his. I don't -

MR. LEHNER: Could you describe these items that you recall?

A. Well, the only thing I recall, it looked like a small pair of beach shoes or something like that. Not, they weren't shower shoes but they were small like that, sandels, and I think there was some undergarment, but these were - seemed to me very small.

Q. And these were items that you threw out sometime in the late April 4th?

A. I don't know if they were threw out or not. I assumed, I don't know what the government has in their possession. That and those pants in the Atlanta rooming house is the only things that I can recall that didn't belong to

me except the beer cans. I don't never recall buying any beer, but the FBI claims they found beer cans with my prints on them other than that whatever I've read, everything I've read belonged to me.

Q. You talked about some cigarettes, what cigarettes did you have reference to?

A. Well, I found a package of cigarettes in the, from Tijuana. I was shaking it down and I think I mentioned this before in on other, one of your other conferences or something.

Q. Where did you find this cigarettes?

A. They were down in behind the seat, not behind the seat but in where your hand drops down between the seat.

The Mustang had bucket seats. In the middle of it, it had a round gear box or something and you could stick things down in there or they could drop down in there, something like that.

Q. Were these cigarettes in a package or was it loose cigarettes?

A. No, they were in a holder.

Q. Were they regular cigarettes or marijuana cigarettes?

A. No, they were, they were cigarettes, but I don't know. I don't recall the brand, they were, just regular smoking cigarettes.

Q. Did Raoul smoke that you noticed?

A. I don't recall if anyone - the various, there's not been too many people in the automobile. I think Raoul, Charles Stine, the two children, and I think Marie Stine - Marie Martin, and Rita Stine were in there about thirty minutes. I can't - I can't

recall - Well, I did give a Mexican a ride one time in Mexico, but other than that I can't recall anyone ever being in the car.

Q. Any women in Mexico in the car?

A. I think for about 20 minutes one time I drove some woman and her boyfriend to a place called "Mesmolaya" or something. It was outside of Puerto Vallarta.

Q. Which woman is this?

A. I don't recall her name.

Q. Was there a woman by the name of Irma that you knew in Mexico?

A. Yes. But I, I don't want to go into all these personal things.

Q. Well -

A. I think that's, that's the one that you are talking about, her and her boy friend.

Q. Is that the same person?

A. I believe so.

Q. Well, without going if, you don't have to go into names, just description of a woman in such a town in Mexico. Who else was in the car, that's what I'm getting at.

A. Well, I think it was her boyfriend. I'm not, he worked at this club that she worked at.

Q. Did either of them smoke that you noticed?

A. No, I didn't notice.

Q. Were there any cigarettes in the car or the ash tray when you bought it from the man in Birmingham back in 67?

A. I don't ever recall looking in the ash tray. I don't smoke. It wouldn't be no point in looking.

Q. Well, do you recall anybody smoking of the different people that you have just mentioned? Do you recall any of them smoking while they were in your car?

A. No, I can't recall. I, I was with Stine quite a while, 33 hours, once, but I don't know if he was smoking or not. I assumed he wasn't because he didn't have any money, but I, I, can't recall if he was or not.

Q. Did Raoul ever smoke in any of the bars that you were with, with him that, or in the car?

A. If he did I never noticed that either.

Q. Did you ever look in the ash tray from the time that you purchased the car until the time, the time you abandoned it in Atlanta?

A. Well, if I didn't I should have. I mean, I, I had a practice there toward the end of shaking the car down when I crossed the border or anything. But something like that I don't smoke and I wouldn't pay too much attention to cigarettes. If I looked in the ash tray and seen a couple of butts in there it wouldn't have - it wouldn't have - I don't even know whether the thing come out to where you could pull it all the way out and dump them out or not.

Q. Well, as best your recollection, did you ever look in the ash tray as you think about it now?

A. No. I can't recall, but I'm almost certain, of course, I could have gotten careless and not looked at it when I crossed

the border or something, but I'm almost certain that I would look in any compartment before I -

Q. Did you check the trunk when you bought the car in Birmingham to see if there were any items in the car at that time?

A. I think, yes, I believe - I don't distinctly remember, but I'm pretty sure I did because of the sequence. The fact is, probably, the owner checked it too, I'm not sure.

Q. Were there any items?

A. No. The car, when, I recall when I bought, purchased the car it was pretty clean, it was just a spare tire and the wrench.

Q. Now, the sandles you told us about that you threw out, were they Raoul's?

A. I have no idea who's they were.

Q. And this undergarment was that Raoul's?

A. I have no idea.

Q. How would you say Raoul was built compared to you?

A. Well, he was more squarer, I would say, lighter.

Q. You mean lighter in weight?

A. Yes. Maybe an inch shorter.

Q. And inch shorter than you and how much lighter in weight than you?

A. Well, at that time I weighed about 170. I'd say he weighed 140 or 50, 140 pounds.

Q. Where did, where did you arrive at when you arrived in Birmingham, where did you first go?

MR. GANNON: Can I just - One thing. When Raoul came

to the rooming house on that 8th day did he give you any indication of how long you were going to be away from Atlanta?

A. No, not really. There was nothing definite.

Q. What did he, what did he say was the purpose of the trip to Birmingham?

A. Well, he mentioned purchasing the gun and looking at surplus rifles and - but I never went into long detailed conversation, that usually was - may have been more expanded on in the car or something like that, but I never --

Q. Did he tell you why he was in such a hurry?

A. No. I never inquired about that.

MR. LEHNER: Could you tell us where you arrived, when you arrived in Birmingham?

A. What time, which one was that, was that after I left Atlanta?

Q. Yes, that's what I was referring to.

A. Well, I arrived at the motel but I don't know the name of it. It's a large motel.

Q. Do you recall the time of day approximately that you arrived?

A. I would say it was after lunch.

Q. Do you recall approximately how long you were on the road?

A. No.

Q. What happened when you arrived at the motel?

A. Well, we had, we had discussion after I rented the room, there was discussion on the purchasing the weapons and -

Q. Why don't you go into that, that discussion if you would?

A. Well, it was just discussions of purchasing of the weapons and things of that nature and it was decided we would look in, I think it was the phone book, to get the addresses or something, and after we left the motel we went to a restaurant. It's a drive-in place, I can't recall the name of it now, but I think I would find it on a map, a map because I had been by there once or twice before.

Q. Could you tell us a little bit about the place? You both ate together there, right?

A. That's correct.

Q. Could you tell us a little bit about it?

A. It was a drive-in place. I think it wasn't too far from the train station. There was two entrances, one in the back and one in the front. I think they sold beer there, I believe. It also ran parallel to the street, the booths did, and then it had a counter, and it ran parallel to the street also, and I recall you could look out on the street from the booths. And I don't recall anything about the waitresses or waiters, whoever he was, that's about it.

Q. And approximately what time of the day were you there?

A. That must have been in the afternoon.

Q. This was after you checked in?

A. Two o'clock or something.

Q. After you checked into the motel?

A. That's correct.

Q. What motel was that?

A. I don't recall.

Q. And where was the motel?

A. I don't recall that either except that it, it was on a main street. I would guess it was a mile from downtown. It was a double - two-story building. And I was on, I rented a room on the second floor.

Q. Under the name of Galt?

A. I think so.

MR. GANNON: It wasn't one of the major chains like Holiday Inn or Howard Johnson's, or was it?

A. I don't know, this, I've read this place has been written down on paper by book writers, but I can't recall the name of it.

LEHNER Do you remember which writer wrote that?

A. Not particularly. I may have got this name off Hanes, I explained it to him, and I think he seen Huie and Huie checked on it.

Huie goes into more detail about all these hotels and everything so I assumed it come from him. Huie found, I think he found every hotel except the, he's got them all recorded except the hotel in Mississippi, the Desoto he couldn't find it.

Q. Well, did Huie ever tell you that he found anybody who saw you and Raoul together?

A. Huie really never told me nothing. He wrote me a couple of letters.

Q. Well, in any of the letters did he ever say that he found someone that saw you and Raoul together?

A. Well, most of these letters, I believe, I gave Mr. Kershaw one of them yesterday, they was always talking about money or contracts. There was nothing about the case. He was talking about how he was going to - what all he was going to do for me and there was, I never - I never seen one letter where he ever mentioned corroborating or discorroborating anything that I told him.

Q. Well do you recall from any source, whatsoever, that Huie saw or spoke with anyone that saw you and Raoul together?

A. Well, he made reference, he had spoken, he referred to certain parties I think in Mexico, he said something about I checked into the Two-Person Hotel and then, after I been down there about three weeks in this town called Puerto Vallarta, and that I made some phone calls to some party; but these were all just, there was nothing specific, he, the only thing I know he's never told me directly - he told me something about New Orleans, that he checked on people, he, he's, he never gave me any names. I think the Grand Jury testimony would substantiate he never gives names, he just says the FBI told him certain parties and things like that, but he was, he wasn't forthcoming in that type. But, of course, I assumed he was concerned about libel or something.

Q. Well, did he ever from any source whatever, whatever, did you ever hear that he came across people that saw you and

Raoul together, say in Canada, Atlanta or Birmingham?

A. No. I'm not, i'm just not certain on the extent of this investigation. He was not an investigator he was a book writer and he was, he was not interested really, he never took any tape recording of any, as far as I know, of any place he visited. He just, he just talked to them. I guess he just made notes. Now, of course, we subpeonaed all the material he had, and he never gave us anything. The only thing he had, the only thing he gave us was what I wrote for him, so I guess may be his attorney he gave it to J. Stine, or something, but he never - he never gave anything to attorneys representing me or any --

Q. J. Stine, he gave something to Stine or an attorney representing Stine?

MR. KERSHAW: J. Stine is suppose to be one of his attorneys.

MR. RAY: Well, in 1968 he drew up all these contracts, and, neither Hanes, Hanes didn't draw them up, Arthur Hanes who represented me, he didn't draw them up, so, there was a name up on top, J.J.S., on top of the January 29th, 1969, contract, a mandatory agreement, and Jim Lesar said that was J. Stine, but I filed interrogatories on Huie and he says he don't recall who his contract attorney was in 1969. So, I think Mr. Stine, or whoever, he accumulated and -

MR. LEHNER: Okay, you checked in the motel, you went to the restaurant, what happened thereafter?

A. Well, we checked the phone book. I have some recollection of him having some, he was somewhat conversant with Birmingham but not, maybe going from the airport

and back, public transportation to certain points, to the post office or something like that. But, anyway, we looked through these various gun shops and I think he decided on this one, he, may be he already knew about it, and - Now, I have a recollection, a clear recollection of driving out there but I don't know - I don't have - I have another recollection of him being in the motel when I came back after the purchase, the purchase of the weapon. I think he made some kind of decision on what kind to buy. I think what I decided on is, or he decided on or both of us decided on was just ask for a deer rifle, that would have been a military type one. So, now I don't know how many times I was in the place or I may have went by to case it once, me and him, to look it over.

Q. I'll tell you what, just before we go into your recollection of the Aero Marine, why don't we take a break, our stenographer indicated he could use a stretch of his knuckles, so, we will stop here for a moment. Okay?

A. All right.

MR. KERSHAW: Sure.

(The time was 11:08 a.m.)

MR. LEHNER: Okay, it is now 11:15. The same people are here that were here earlier this morning and let's continue.

Could you tell us the time that you, you and Raoul decided to do something in the way of purchasing a gun while you were in Birmingham?

A. What time was it?

Q. Well, you said you had lunch, you checked in the motel, you had lunch, what did you do thereafter?

A. I don't recall having any lunch, we did go to the restaurant, but I don't think I, we had any food.

Q. You didn't, you did not eat at this restaurant you told us about that was near the train station?

A. No. I don't believe I did.

Q. What did you do there?

A. We just ordered beer or something, checked the phone book and we looked at these various addresses. I have some recollection that he was conversant with these addresses or something to the Birmingham airport, and I think we decided on, or maybe he decided on the Aero Marine Supply.

MR. GANNON: Did he have any special reason for choosing Aero Marine as opposed to some other gun shop in the Birmingham area?

A. Well, it may have been because it was bigger and may have been because the airport, I don't know.

Q. Did he indicate to you that he had any prior familiarity with Aero Marine?

A. I have some recollection that he had familiarity

with the airport but that may have been why he was conversant with Aero Marine. I don't have any clear recollection.

Q. So you decided to go to Aero Marine?

A. That's correct.

Q. What did you do then?

A. Well, I have a clear recollection of this, we got on the street, I think it ran parallel with Aero Marine Supply. I don't know how come this is, maybe the street was a similar name or maybe it was, ran in the same, I think, I have some recollection of it running, instead of running directly north or south, east or west, it run on an angle, the street we was on so, we went in a filling station and got a map and we found out we was one street over too many, or something. Now, my recollection here is not clear at all. I think where we went by and looked at the place over or something, and decided to go in there or something, but the only thing I can think, reconstruct, is that I took him back to the motel and I went in and got the stuff.

I recall you asking me last week did he stay in the car or sit in the back seat, or stand on the curb. I don't recall him even being in the car. So, it was possible if I drank a beer I was probably, wasn't thinking too good anyway. But, anyway --

MR. LEHNER: Did you go to Aero Marine from the place that you had the beer or did you go from the motel to Aero Marine?

A. No. I went, we went to the filling station and got a map.

Q. Then what?

A. Then we found Aero Marine.

Q. And then what?

A. We wasn't too far from it. Then I think - I don't have recollection, but I'm just reconstructing, I took him back to the motel and then I came back to Aero Marine and made the purchase.

MR. GANNON: What was the exact kind of gun you were looking for? What did you have in your mind when you went in to Aero Marine to buy the gun?

A. Well, this wasn't really clear. It was a military, I thought it was a deer rifle, a military rifle, I had in my head some way, and I suppose he did from our conversations, that a deer rifle was a military rifle. You get certain preconceptions I guess. There was a name, but I don't know, I don't know anything about technical bits about rifles. I know, so, I don't know what, what the conversation was. I have some recollection that he might have mentioned the name like Springfield and a deer rifle to got with it, plus check on military rifles. Of course, I may have just purchased the wrong one when I went in there and got it.

Q. Was that name you had, Springfield?

A. No, I just got, I just conjured that name up. I don't, I don't think it was Springfield. I think it was another name, but I can't recall.

Q. Well, a deer rifle would be a hunting rifle and, therefore, it wouldn't be a military rifle?

A. Well, there are certain - I'm getting these things blurred in together now, the surplus rifles were the military

rifles and, I, these things kind of blur together, the mili - the deer rifle and the scope rifles and the other ones, but I just had some recollection that the shells would be interchangeable and things like that. I don't recall all the technical conversation or anything like that. It would be --

MR. KERSHAW: You don't even remeber what kind of a rifle you bought?

A. Well, I don't now, but, but I don't, yeh, I don't recall, I mean it wasn't a Springfield, but I don't recall what the make of it was.

MR. GANNON: Did he give you any idea what caliber of rifle he wanted?

A. Well, no, I had some recollection of the, now he may have, but I thought it was the name of it, that's what stuck in my mind. The name of it plus the Army surplus rifles.

Q. Did he tell you what kind of army surplus rifles he was looking for, I imagine there would be several different makes?

A. There was always mention of military, so, of course I know from experience that there's only approximately two kinds of military, the M-1 and the German, and a lot of German surplus rifles, plus the carbine. But I assumed it was the - I think there was mention of the Mausers or something, German rifles. I know I looked at various, they had various surplus rifles in there and I checked them out and the salesman said something about they were inferior quality or something.

Q. How did you approach the clerk, did you ask him to look at a deer rifle first, or did, did you ask him to look at these

military surplus weapons?

A. I asked him about both of them, I believe. He seemed to try to discourage me on the military surplus, he said something about they were inferior quality and I guess he wanted to sell me all the other kinds or something.

Q. Were you prepared to buy a military rifle if one looked good?

A. No. I wasn't prepared, he just said to check them out.

Q. Did - Had he given you any money to pay for the rifle?

A. Yes. But I'm not certain just how much money it was. It was quite a bit in excess of what it, what the rifle cost.

Q. Would it be in the neighborhood of seven hundred - several hundred dollars at least?

A. That's correct, that was to cover the ammunition.

Q. Ammunition. Did - Oh, there's something in my mind - When did he give you the money?

A. I think that would have been the motel when we come up there and decided on getting, getting it.

Q. This was before you went to the filling station?

A. Yes. That would have been before.

MR. LEHNER: Is there any reason you can think of why he would not have wanted to be in the car while you went in to get the rifle? Why you would have taken him back to the motel?

A. No. I can't think of it, that's just reconstruction. I know, I'm almost positive that when I came back to the motel he was

there, and what the -- Whether he cased the joint I don't recall.

MR. GANNON: Did the salesman actually show you any military weapons, surplus weapons?

A. No. He didn't have them behind the counter they were on display. They were out, he was on one side of the counter and these military rifles were out in the, where the customers could handle them. I did handle several of them. I think they were on a rock or something.

Q. You did handle several?

A. Yes.

Q. He tried to discourage you is that correct?

A. The salesman?

Q. Yes.

A. Yes, I think he thought may be that I was going to buy one of those instead of the more expensive one I guess.

MR. KERSHAW: Do you remember how much a surplus rifle were priced?

A. They wasn't - I don't think they were expensive. What I did, I just asked him, I think I inquired how much they cost.

Q. 30, \$50?

A. Yes, they wasn't too much, about 70 or 80, and then he said something about the inferior quality and it went through my mind then that maybe he was trying to discourage me from buying them. He thought maybe I was, would decide on them or -

Q. Did you ever have any experience with any military

weapons or hunting weapons other than the M-1?

A. The M-1 and the carbine.

Q. Yes, is that the only rifle, high powered rifle you have ever handled?

A. That's correct.

Q. And that was when you were in the military police?

A. No, I was in the infantry.

Q. You were in the infantry, in Europe?

A. Yes.

Q. Did you shoot that gun much?

A. Everybody that is in the Army is required to. There is three, there is three catagories, I think, marksman, sharp-shooter, and expert.

Q. Which did you make?

A. Marksman, but you have to make it or they kick you out.

Q. Marksman, you, everybody has got to be marksman?

A. Yes, everybody has to be marksman.

MR. GANNON: Could you describe the saleman for us?

A. No, I couldn't.

Q. What happened, you handled some of these surplus rifles, what made you switch over to looking more intentionally at a deer rifle?

A. Well, the reason I was - I had the impression I was just suppose to check out the military rifles, look them over and not buy anything. That wasn't, buying military rifles wasn't nothing really, there was never any firm decision on that. It was mentioned in Memphis

that I would go back down there and purchase them, but there was a firm decision on the scope rifle.

Q. Well, from handling of the military rifles and your discussion with the salesman, had you formed any impression of military rifles that you could bring back to Raoul and report to him?

A. Well, I assumed they was for sale because the salesman give every indication that they were, but the only thing, he said, he said they were inferior quality. I don't know what he meant by that, I think that's salesman talk.

Q. What were you prepared to tell Raoul if he asked you what about the military rifles?

A. Well, they were there, the fact is, I think I did mention they were there and I had some recollection that he knew they were there, but I don't know --

Q. Were you prepared to recommend that he invest in some?

A. Well, yes, I don't know anything about those but I've heard about them.

MR. LEHNER: What were the prices of the military rifles?

A. They were nothing like the scope rifle, I think 60 or \$70. If they were the Mauser I mean, I assumed they were good rifles, so, what I've heard, you know what I've just heard from idle conversation.

Q. Did the salesman tell you why he considered them inferior?

A. Well, he didn't tell me, but naturally he wanted to sell his highest products and while I didn't tell him, he

might have figured that I would have bought one of them instead of the other one, but if that wouldn't have been the case, so, I didn't go in there and tell him I wanted to buy a bunch of those rifles, surplus. I think I mentioned, I started pricing, and asked him most of the prices and things of that nature.

Q. And what did he say about the military rifles?

A. Well, the best I can recollect he just seemed - He just seemed like he wanted to discourage me or something. He said something about they were inferior quality.

Q. Was he the same person that sold you the rifle, the one that was discouraging you in saying they were inferior quality as to the military rifle?

A. I believe he was. I think there was two salesmen there, as I recall.

MR. GANNON: Who shifted the conversation from military rifles to the deer rifle?

A. I think I did. I think while he was -- I think while he was running around there looking after the scope rifle I started inquiring about the military rifles. So, I know, I know he never brought it up because he wouldn't have no reason, he wasn't trying to sell me any.

Q. But, how did you get from looking at military rifles to actually into the process of purchasing the deer rifle?

A. Well, apparently, apparently, he was doing something, the other one, and I was waiting. I don't know how long I waited in

there, but during this transaction he was wrapping or something, or before he was wrapping I started asking about the military rifles.

MR. EVANS: The inquiry here - listen, you first went in and you were inquiring about the hunting rifle or the military rifles? What did you speak about, the deer rifle or the hunting, or the military rifle?

A. Well, the deer rifle came up first, and shortly after --

Q. And what sort of conversation did you have with the salesman about that rifle? Did you inquire as to what he thought was the best rifle, the range, and any of the technicalities?

A. No, I didn't. I think what I told him, I told him, I said something about me and my brotherinlaw was going to hunt deer and I wanted a certain type, make. I think make is all I had. And he said, yes, we got that, so, I didn't know all about these different calibers and shells and all that stuff. And shortly after that it couldn't have been too much longer I started to inquire about the military rifles. I have some vague recollection that he might have thought that I wanted to shift weapons or something.

MR. EVANS: About how many of the deer rifles did you handle before you finally made a selection?

A. I don't know if I handled any of them. I may have handled one or something.

Q. Was this the one that you originally asked for?

You said you had a name and you asked for the name and you just bought that rifle?

A. Well, I had the name, but I think it was a manufacturing name. It wasn't no caliber or anything, and I think I think I just referred to the manufacturing name plus the deer bit. I have a stronger recollection of just telling about wanting the deer rifle and later on this turned out there was different types of deer in the United States that require different caliber.

Q. But prior to your finding that out did he show you any additional rifles perhaps of the same make, the manufacturer's name that you had?

A. He may have but I don't have no strong recollection of it. He may have. I know they have a practice of showing you the most expensive one they have, but I wouldn't, wouldn't based on my finances, whatever I had, I think I had six or seven hundred dollars, I wouldn't want the --

Q. Well, did he show you the expensive rifle and quote a price and did you say, well, let me see another one. I mean that would have been normal practice assuming that they are going to show you the most expensive one first?

A. Well, I don't know I was more concerned about getting, you know, what, the Springfield and the deer rifle than I was, as long as it looked fairly good that's the only thing I was interested in, getting, was a fairly good rifle.

Q. The rifle that you subsequently purchased, had you seen that the previous day or had that been offered to you by -

A. Had I ever seen it?

Q. Yes.

A. Well, the previous day I was in Atlanta.

Q. Well, I'm not, I'm not saying Atlanta. I'm talking about the day you had the, you purchased the first rifle.

A. That's correct.

Q. Now, we, are we clear in our minds as to whether you went back that same day that you purchased that rifle and exchanged it, or do you recall now that you went back the following day?

A. I don't, I don't, I don't recall.

Q. Well, at any time the rifle that you subsequently ended up with, were you shown that rifle when you first entered the Aero Marine store?

A. No, I don't believe I was.

Q. You didn't see that one at all?

A. I don't have no recollection of it, no.

Q. So the rifle you selected, did you request or did he recommend that the scope be put on, or did you?

A. The first one?

Q. Yes.

A. Yes. I requested the scope be put on.

Q. Did you give him a name or what did you do, how did you go about that?

A. Well, I think I let him decide that, I just told him what I was going to do and then he told me what I should do, something in that order.

MR. LEHNER: What distance did you tell him you wanted to shoot at?

A. I don't even think I told him that.

Q. There was, was there any conversation pertaining to distance when it got around to the scope?

A. I don't know, no, I don't recall. I think he, there's some, I have since read there is various techniques in getting these things together, mounting scopes and things like that, but he apparently took care of all that from what I've subsequently learned.

GANNON: Did you buy ammunition with that rifle?

A. Yes.

Q. Did you discuss with the salesman, I guess the value of different kinds or the suitability of different kinds of ammunition?

A. No, I don't have no recollection of it at all.

MR. KERSHAW: Had you ever had anything to do with a telescopic sight before in your life?

A. No.

Q. In other words you just went in like an amateur and said, look, I want to go deer hunting and want the kind, the best kind of rifle and mount the scope and tell me what to do?

A. That's it.

MR. GANNON: Did he suggest a particular kind of ammunition?

A. Well, I don't believe he did, he may have, he probably thought I was kind of naive on this, purchasing things because I, the way I explained what I wanted, I think the only thing that I ever requested of his is military ammunition,

later on, and this is after this Raoul suggested that I get, I think he suggested something about I get some. But I have, I know I bought, purchased military weapon - ammunition because it's the same kind I used in the army in the M-1.

Q. This first day when you were in there buying this first rifle, did you buy military ammunition at that time?

A. I don't believe I did.

Q. Where did you buy the military ammunition?

A. I got some reconstruction, I believe it would have been the second time. I know I bought some the second time.

Q. You bought it at Aero Marine too?

A. That's correct.

Q. Did you buy hunting ammunition at the same time, the second day, or the second time you were in there with the rifle?

A. Yes. I think I just purchased both kinds the second time. Are you talking about the second time?

Q. Second time.

A. Yes, that's correct.

Q. But the first time did you buy just regular hunting ammunition?

A. The first time?

Q. Yes.

A. Yes, I believe so. I may have bought - Now, I'm not positive on this. I think, I think there is some area, now I may have did something on my own and did it wrong, I may, I may have purchased both the same the first time, but you'll have to look at the records, I just don't recall.

Q. Did he tell you - You went in there, and Mr. Kershaw said, as an amateur, did he tell you why the particular kind of ammunition the first time he was selling you was, was the right kind of ammunition?

A. Well, he probably did but if he hadn't of I wouldn't have paid any attention to that because I just wasn't conversed with that type of operation.

Q. And what made you think that the rifle he eventually sold you that first time was the kind that Raoul was looking for?

A. Well, the name and the fact he said it was a deer rifle, I guess that's it.

Q. And when you bought it which name did you use when you bought it? He asked you for a name?

A. Yes, he asked for, I think that's when I used the Lowmeyer name.

Q. And the receipt, did he require you to sign that?

A. I don't recall if he did or not.

Q. Did it require an address?

A. Yes, I recall that.

Q. And did you give an address?

A. Yes, I did.

Q. And do you remember the address?

A. No, I can't.

MR. LEHNER: How did you get the name Lowmeyer?

A. WELL, I don't know, excuse me. I don't know about all these aliases. The only thing, I do recall, Lowmeyer is some hoodlum in Illinois sometimes I'd use someone else's name, would come to mind.

Q. Was he someone you knew as a youth?

A. No, I just heard of him.

Q. And what first name did you use at Aero Marine?

A. I think I used Harvey, Harvey Lowmeyer.

Q. Was that this first name of the Lowmeyer that you had heard of in Illinois?

A. I don't know if that was his first name or not, I believe it was, I'm just not sure, for certain.

The reason, a lot of times you'll associate with one individual and he'll associate with another individual and I know I've used names like that. I may not even know the other one, he's a crook mentions somebody's name, so I'll just use the name, that way you can't connect with your association, or something.

MR. GANNON: The address you gave him was there any special reason for giving that address?

A. I think probably the reason I gave it, it was probably an address, a street close by to where I was living at on Highland Avenue and I just picked it out. I usually have these things straightened out before I go in there. I have it in my mind --

Q. Had you figured out before you went in there what address you were going to give him?

A. I probably, yes, I probably had all that in my mind.

Q. Were you sure of that address in a sense that it seems to me possible that you could give him an address which he himself might be familiar with and know that it was a phony address?

A. That would be a long shot. There's always a possibility of something like that. And, I'd probably give him an address at Harper House or something. Now, the address I gave him is on the record and somebody says it's a vacant lot, but you can't believe what you read, you've got to - but I don't, I can't see me giving him an address of a vacant lot. It's the possibility he could recognize it. I think, probably the address I gave him would probably have been in a fairly conjectured area or something, but I'm not certain of that.

Q. But you say you had it figured out beforehand, had you checked the address out beforehand?

A. I didn't go there or anywhere. I think probably I walked by the street or something when I was there before or something, but I just had it in my mind.

Q. After you purchased the rifle, do you remember how much, how much it cost you?

A. The rifle?

Q. The rifle, the ammunition, the total bill for that first purchase?

A. Well, it was a considerable - But I don't know how much it cost. It was considerable more than the hundred dollars I know that.

Q. And what did you do when you got the rifle, well, what, first of all, what kind of, did he put it in the box?

A. I believe I did. I don't know if I -- I don't know if it picked it up the first time I came there or came back again and picked it up again. I think I waited around

and he fixed it and I took over to the motel.

Q. That first time you were in that, in the Aero Marine Supply Shop, how long were you there all total?

A. I just don't know.

Q. Well, did he put the gun in a box for you?

A. Yes, I believe he did.

Q. Do you remember the kind of box?

A. No, I don't recall.

Q. And after you had the gun in the box you, you also purchased some ammunition at that time, correct?

A. Yes, I believe so.

Q. Okay, then what did you do?

A. I took - After I purchased the rifle I took it back over to the motel.

Q. And, what was the conversation -- Well, I guess, was Raoul there at the time?

A. Yes, he was there.

Q. At the motel?

A. Yes.

Q. And what was the conversation between you and Raoul when you brought the gun back?

A. There was some con - there was some mention about being the wrong type or something. I have a vague recollection of having a catalogue and he marked, he showed me the difference, or something, or he wrote it down. But I think, I don't want to get hooked up on this catalogue because they may not even have no catalogue. I have a vague recollection of the salesman giving me a catalogue of various hunting equipment and I think I showed him

this catalogue or something.

Q. What did Raoul tell you was wrong with the rifle that you were purchasing?

A. He just said it was the wrong type or something.

Q. Nothing more specific?

A. No.

Q. He didn't say it was too light, or the wrong make or anything like that?

A. I assumed he said it was the wrong caliber because I have since found out they were different, they were, there was a slight difference between the two calibers, but I don't recall specifically anything except him saying it was the wrong type and said you'll probably have to take it back, or something like that.

Q. Did you get impatient with Raoul because he was telling you to take the gun back after you had spent at least some time trying to arrange the purchase, had made the purchase, and you bring it back, and he says no, this isn't what I want, did you get upset with him at all?

A. No, not particularly, I think he gave me \$700 and that kind of relieved me of the upset.

Q. Was there any understanding? Was there any understanding that you were to keep the 700?

A. Well, I think that there would have been some of it, yes after the purchase.

Q. When did he tell you that you could keep all or part of that money?

A. Well, he gave it to me and I assumed once you give me money or anything, why, I know the experience with

lawyers, once you pass out anything that's it.

Q. Well, we know, we all know about lawyers. But did he, did he say -- Did he ask, did he say at any time that you were to keep, say, whatever was left over?

A. I think there was an inference. I don't recall any direct conversation saying that you can have what's left over. But I think it's for expenses or something, but --

Q. Did you ever ask him what I, you know, what do I get out of this for going and buying the rifle?

A. Yes.

Well, that conversation came up in New Orleans in 19, December of 1967, but I, but it was fairly certain what I was going to get out of it. What I thought I was going to get out of it, it's obvious I wouldn't cross the border or anything like that without some type of assurance that I was going to get something, although, anything I'd ever done out there I'd been paid after I done it, but I think we was in a different situation, if I really took something across the border of a military nature.

Q. So, what happened after he said this is not the right weapon?

A. There was some discussion, I believe it was the catalogue or pamphlet, it wasn't a catalogue it would probably been a pamphlet, what kind to get. So, I think I went and made a phone call. I don't know whether I made a phone call from the motel or down the street, and I called the salesman and he said something about, bring it back out, but I don't recall whether I took it out that night or the next morning.

Q. About what time of the day was that?

A. Well, I don't know. I think I arrived out there - If I made two trips out there I must have arrived out there sometime late in the afternoon. The first time, 2:30, but I don't know how long I was in there. So, it must have been sometime, 3 or 3:30, because he was still open, I know that. So, it must, it was later, it was later than 4:00 but I'm not certain. It was earlier than 4:00.

Q. So it's the same afternoon when you called?

A. Yes. I called, I called the same afternoon as soon as the determination was made it was the wrong kind.

Q. And what did he say when you said that you bought the rifle but it was the wrong kind and you wanted to exchange it?

A. He said something about bring it back out and he would take care of it. He said he'd do it the next day, I recall that, but I don't know if I took it out that night, or in the morn -- the next day or not.

Q. You don't remember that? Do you remember what you did in general that night?

A. I don't think I did anything.

Q. Where did you have dinner?

A. I don't recall that either because I think I'd missed -- I didn't have no lunch. I think I had a beer for lunch. I probably had dinner some place.

Q. Was Raoul with you when you had dinner?

A. No, he wasn't with me.

Q. Well, when did he leave you?

A. I think after we made, there was some determination

made, you know, that the rifle would be changed, when it would, when it would be changed, and things like that.

Q. You said something before about writing something on a piece of paper, did you do that?

A. I don't know if he wrote on paper or pointed out on the catalogue. I think it was a catalogue because it seemed to me if they wanted to give you a catalogue that have all their merchandise in it on that particular subject - so I have -- instead of writing it down on paper he may have wrote something on that catalogue because I know I took the catalogue back if that's what it was and showed it to the salesman the next day. I think the stuff was marked or written on there what I wanted.

Q. So as you recall it now, you actually returned the rifle the next day?

A. I, I'm not, I'm not certain on that but I think - I think if I had to guess one way or the other I'd, I would say it was the next day, because I called him up and I know it was pretty late, but I just, I just don't know about that, he knows, I'd take, whatever he says I think would be satisfactory to me, but I don't, I don't recall.

Q. Did Raoul say where he was going when he left you?

A. No, there was no conversation about it.

Q. Did you have the idea that he would be staying in Birmingham that night?

A. Yes, I did.

Q. Did he make arrangements to meet you the next day?

A. Yes.

Q. What did he say when he made those arrangements?

A. I think he said he would be back up there a certain time and there wasn't no big thing, all he had to do was tap on the door and that was it.

Q. This is at the motel?

A. That's correct.

Q. So, you don't remember where you had dinner that night?

A. No.

Q. What did you do the rest of the night after you had dinner?

A. Well, I probably went back to the motel. I wouldn't have been driving around under ---

Q. What did you do the next day?

A. Well, I went to - I went from - I took the rifle back, if in fact I did take it back, I think I did, and I think I showed him a pamphlet he had and had written on there what I wanted and we had some discussion about how come the error was first time. And I, he said something, I said something about, well we are going to hunt deer in Wisconsin or something, and he said, Oh, he said, I thought you were going to hunt Alabama deer or something, and that was about it and he went ahead.

Q. Did he give you any trouble about exchanging the rifle?

A. None whatsoever.

Q. No argument?

A. I think the second one was more expensive so, than the first one.

Q. Did you pick it up right away, did you wait there?

A. I don't recall that either, I believe I did, but I'm not certain. I don't know how long it takes to fix that. I'm just not certain, if I had to guess one way or the other I'd say I waited there until - until he finished it.

Q. Was the second rifle going to have a scope on it too?

A. Yes, it would have been just exactly like the first one except I guess the caliber would be different. There was some type of interchangeable with military.

Q. Did he tell you what the scope would do, what the power of the scope was?

A. No, he didn't say. I got, I got, the recollection that there was just one type of scope and that was it, or two kinds. I think what he asked me, what kind I wanted on it and I just said put, I think he mentioned one or two and I just said to put the best one on there or something like that.

LEHNER: Was that the same scope from the first rifle that was put on the second one?

A. No, I, I have no idea on that either.

Q. Where did you keep the first rifle over night?

A. I think I kept it in the, I probably kept it in the room.

Q. And before you went to Aero Marine on the next day, Raoul came to your place?

A. The next day? Did he come the next --

Q. The day that you got the second rifle, was Raoul at your place before you went to get that second rifle?

A. Yes.

Q. And did he tell you where he spent the night?

A. No, I didn't inquire.

Q. And did he tell you how he got to your motel?

A. He wasn't far from town, it wouldn't have been no big, he could have walked.

Q. Where had you last see him before the morning of the second day?

A. The motel.

Q. The end of the first day you saw him at the motel?

A. That's correct.

Q. When was that, before dinner?

A. It must have been - It must have been shortly after I made the phone call coming back and said something about to exchange the rifle, but --

Q. The second day did you deal with the same salesman that you dealt with the first day?

A. I believe so, because, he took care of the first job and I think he, I think the same one was there

MR. GANNON: Did Raoul go with you to Aero Marine the second day?

A. No, no, I'm positive he didn't. He was with me in the car one time but I think the only, I can only recall definitely two times that he was. He was with me in the car one time when we got a map and then the tavern, and he, and I took him to the post office one time, but I can't recall any other times that - but I never would have --

MR. KERSHAW: When did you deliver the second rifle to Raoul?

A. When?

Q. Yes.

A. Well, that's after I got it, whatever time that was.

Q. But you showed it to him that day?

A. Yes, that's correct, at the motel.

Q. And he said it was okay?

A. Yes, it was the correct one.

Q. Did he pick it up and sight it or anything like that, do you recall or did he just look at it in the carton?

A. It was in an oversized box, I think he just, might have inspected it briefly or something like that.

Q. But you don't recall whether he took it out of the carton or not?

A. Well, I think he was concerned about the military aspects of it, whether you can exchange shells or anything like that, that might have been a front, a kind of a put-on.

Q. But you don't remember whether or not he picked up the rifle?

A. I think so, I think he did. Yeh, I seen, naturally he looked at it.

MR. GANNON: You said earlier that when you bought the second rifle, exchanged the first rifle for the second rifle, that you bought both hunting ammunition and military ammunition -

A. The first time?

Q. This is when you bring back the first rifle and exchange it for the second one.

A. Yes, that's right.

Q. You bought two kinds of ammunition, hunting ammunition and then military ammunition. Had Raoul instructed you to buy the military ammunition?

A. I'm not certain if he did or not. I'm sort of, I, I'm kind of, inclined to think he did but I think I was just trying to satisfy someone or take care of everything. I think I may have just had him throw the military in there and these are greek instructions. I'm not even certain I bought the military ammunition, but I think it was found in some of my effects or something, so I assumed that I had bought it. I don't have no real strong clear recollection of buying any ammunition at all, but I know I did.

Q. Yes, I remember seeing in one of the books, I don't know which one, something about that. About the, about military ammunition being found, and I just wondered, is there any other place you could have purchased it, if not at Aero Marine?

A. That's the only place that I was ever in any -- All the time I was on escape I had never been in any other gun shop, that was it, just that one.

Q. But didn't you buy some ammunition for the pistol, the handgun you bought in Birmingham, wasn't it, didn't you have to go into a gun shop-

A. Yes, that's correct, I did purchase that.

Q. -to purchase that?

A. That was in Texas or something, I don't remember.

LENEP: Did Raoul ever tell you why the second rifle was satisfactory where the first was not?

A. Well, he's the one that picked out the second one. I'm just making assumptions, but it was because of the military character of the rifle.

Q. What is the difference between the first and the second as far as the military character?

A. I don't know. I guess the ammunition can be interchanged.

Q. Can be interchanged?

A. Can not.

Q. In the first one it can not but in the second it can, is that your understanding?

A. That's my understanding since reading periodicals the last three or four years.

Q. Raoul never explained to you why he wanted the second in preference to the first?

A. No, there was no details about it, he just said, it was the wrong type and that was it.

Q. The second time you got the rifle, did the salesman explain to you the action, the mechanism by which it could be activated?

A. Deactivated?

Q. Activated, how you could, how you, how you operate the weapon?

A. He apparently did, but I have no recollection of

that at all. I don't know if that's the practice they make or not. He may give you a book that tells you how to operate it, I don't know.

Q. Did he select the ammunition for the second rifle, or did you?

A. He may have run something down, I may have just told him to give me that, but I don't know. But that ma- have been - There may have been some reference when I bought the rifle, Raoul, he may have said get this or that I don't have no clear recollection of this.

MR. EVANS: That's the second rifle you are talking about?

A. That's the second one.

LEHNER: The first rifle who selected the ammunition, you or he?

A. Well, I think the - I assumed the individual who sold it to me. I don't know how many different types of ammunition they got. I was always under the impression that they had the one, it was just --

Q. You know the difference between hunting ammunition and military ammunition, being you were in the service, right?

A. Yes, but I never did any hunting, except, I did hunting with a .22 but -

Q. Well, the ammunition that you bought for the hunting rifle was that different than the ammunition you bought for the, the military ammunition?

A. I think it was all the same size except there's a technical difference.

Q. Difference in the casings, is there a difference in the casings?

A. Yes. It's a diff- I think it's a different case, yes.

Q. The weapon that you first purchased was the man - was the manufacturer the same for the first and the second weapon?

A. I believe so.

MR. LEHNER: And how was the second weapon packaged, was it the same package that you had with the first one or were you given a different package?

A. I know it was in a box

Q. You know if it was the same box or you had it in a charged box.

A. I don't, I don't know if he changed the box. I don't know the difference.

MR. GANNON: After you bring the second rifle back, Raoul looks at it, is that correct?

A. That's correct.

Q. He says it's okay, it's what he wants?

A. Yes.

Q. Okay, what happens then?

A. Well, there is some discussion about what, where I, where I should go and things like that, five or ten minutes.

Q. What was the content of the discussion?

A. Well, he wanted me to take it to Memphis and there was some addresses written down or something.

Q. Do you remember those addresses?

A. One of them was the New Rebel Motel I believe it was. And I should take it up there. I think it was February 4th - April the 3rd and -

Q. Any particular time of the day?

A. No, I don't recall it, just April 3rd.

Q. April the 3rd you were to bring the gun to the New Rebel?

A. Yes, that's correct.

Q. You were to check into the New Rebel? Did he tell you to do that?

A. Yes.

Q. And did he say anything about what he would be doing in the meantime?

A. I do have some recollection of him saying something about he had to go to New Orleans? But if you asked me that yesterday I probably wouldn't know it, but that's just something I recollect now.

Q. Did he tell you why he would be going to New Orleans?

A. Well, for some type of business or something. It had something to do with the gun transaction and so forth.

Q. Did he say he would be, be meeting any specific people in New Orleans?

A. No, I have clear recollection of New Orleans being mentioned but I never have, I never, I don't recall any names being mentioned or anything like that.

Q. I was just thinking if he was going to New Orleans to handle some business related to these gun transactions it would make more sense to him to take the gun with him to New Orleans, did he ever explain that, why the two of you say didn't go directly to New Orleans as opposed to the two of you going off in different directions?

A. Well, I don't know, he wanted me to, he wanted me to haul it to Memphis. I had an automobile. Of course, I guess it's a federal offense to haul it across the State line, I don't know, I assume, I assume it is. I can't explain to you what it -

Q. Well, you were in trouble either way hauling it from Alabama to either Tennessee or Louisiana, weren't you?

A. Well, that's why I wore those bumper stickers, "Support your Police" and things like that to keep the heat off. Of course, if I had been - usually the police won't stop you or bother you if you are, observe all the rules and regulations they got written out. So, I never really - Whenever I'm outside I'm not really too concerned about getting arrested. Of course you keep away from crooks except when you have to deal with them things like that, stay away from certain neighborhoods, you usually won't get -- The police don't make it a habit of arresting persons that don't appear to be in some type of - maybe you could answer this - some type of, if they did they'd be stopping everybody on the highway.

MR. EVANS: Sure.

While you were still in - While you were discussing or while he was discussing with you the trip to Memphis, did he give you any sort of time table or time schedule you should arrive at ---

A. No. I think he had -

Q. Did he tell you to take your time or did he tell you what to do or he just said, I'll see you in Memphis or

the New Rebel Motel on April 3rd?

A. He said April 3rd, yes, I, it was my impression he thought maybe I was, maybe went back to Atlanta or something, but I made the decision on my own, I'm pretty sure, to go to Memphis and just drive slow rather than make the long trip back to Atlanta, just drive slow and stay, say drive three or four hours a day and stay at different motels which I did.

Q. Okay. All told how many hours, how long did you stay in Birmingham?

A. On that particular time?

Q. On this particular time.

A. I don't know if I stayed there that night or not, you'll have to check the records there, but I think - I believe what I did is, I stayed in a place, drove a few miles outside of Birmingham and stayed in a motel.

MR. GANNON: Do you remember what city that was?

A. I recall, three or four of the cities I stayed in between, I writ them down, but I, I can't, I may recall some of them. I think I stayed in Florence.

Q. What state is Florence in?

A. Alabama.

Q. Alabama.

A. I recall getting a haircut there. That would probably be April 1, when the government had that's when they had me in Atlanta. I think I was in Florence, that's, I think that's up towards the north, towards the north.

MR. EVANS: That's right.

A. I think I stayed in another motel between Birmingham and Florence and I stayed in a motel one night in Mississippi but I can't recall the town. If I can see a map I can recall it. And I stayed, April 2d, I stayed at the DeSoto.

Q. So working back, you had, the DeSoto, rather New Rebel on the third, Desoto on the second, a motel in Florence on the first? A. Yes.

Q. Do you remember where you stayed on the night of March 31?

A. If I could see, saw a map, I could get it, but I can't recall, but

Q. What general geographical area would that be in?

A. As I mentioned I wasn't driving too far a day, so it would probably be - if Florence is north it would probably be between Birmingham and Florence. I have a clear recollection of Florence. It sits off the highway and I drove in. I cut off on a street and drove downtown and --

Q. Do you remember the name of that motel in Florence?

A. I'd draw a diagram for all these but I can't - I can't recall all the names of them.

MR. EVANS: What would you say you averaged going up, two or three hours driving a day?

A. Not much, yes.

Q. Not much more than that, right?

A. Driving slowly.

Q. Did you see Magoulas before you left Birmingham, did you go by his place?

A. I don't remember Ma-, the only place I recall in Alabama is the Starlight, that name, now there are various, Magoulas and those other places I've been in them, but I don't,

I don't recall - I don't recall the names.

Q. Were you ever in Magoulas's with Raoul?

A. Well, I may have, but I don't recall, I just don't recall what's Magoulas's and what isn't. I would assume -- I use to frequent, other than the Starlight, I use to go in a place right across the street from it. Now, I went to two other place but they were down by the train station somewhere.

Q. What did Magoulas look like?

A. I don't, the only person I ever recall, of -- Now, I can't recall his identification now, He was the owner of the Starlight, he was an Italian, I believe.

Q. What did he look like do you recall?

A. Not now, but he's kind of heavy, I'd say 50's.

Q. Heavy set?

A. I believe he was.

MR. GANNON: The owner of the Starlight?

A. Yes.

MR. EVANS: And that wasn't Magoulas?

A. No, he was an Italian. I think Magoulas was Greek.

Q. Greek or something?

MR. LEHNER: Magoulas is a place with the name Magoulas on it or is Magoulas, you called it Magoulas because the owner is Magoulas and you know him.

A. Well, I don't have any clear recollection of how I know that. I just don't know it may have had a name on it but I don't know how some, somethings --

MR. EVANS: Do you know how to spell that?

A. No, I don't.

MR. LEHNER: Is that one word, Magoulas?

A. I think so.

Q. Who were you there at Magoulas's with?

A. Pardon?

Q. Who were you with at Magoulas's?

A. I don't recall ever being specific while being there with anyone. It was - I didn't have too much association with anyone in Birmingham.

Q. How would you describe Magoulas's?

A. Well, there was, there was a place under a hotel, I think that's one of the first places I stayed in that night right across the street from the Granada Hotel, but there was a place I use to go in there two or three times -

Q. The Granada Hotel?

A. The Granada Hotel, yes.

MR. EVANS: That's the first place you stayed in when you went to Birmingham?

A. That first night. I was, I think that was underneath the hotel, but I think there's two clubs, two or three clubs there, I just don't have no clear recollection. The only other place I ever went with any, could have been is, I think this was up by the train station, right next to a big motel. They had some kind of a floor show in there, but, I think they had a restaurant in the front and a floor show and bar in the back.

MR. GANNON: Was that Magoulas's place?

A. Well, it may have been, I don't know, I just can't recall.

Q. You told us, I think it was, you apparently did have some conversation with him because we are talking about your background, you know, well at least the background that you were giving to people, you said you told them something about working on a ship or shipyard, or something like that, did you have any other conversation with them about your background?

A. With who?

Q. Magoulas.

A. I don't recall talking to Magoulas.

Q. Then how did you get to know him and his name?

A. Well, I may have seen his name on the, on the - See, I been asked about this Magoulas before, I may have seen his name on the front of a tavern or something, but these people are kind, these foreigners they don't talk -

MR. EVANS: Does Huie know about this guy?

A. Who?

Q. Huie.

A. He never mentioned his name.

Q. No, I'm saying you say you mentioned this guy to someone else, I'm just thinking that maybe someone else has done something on this, did you mention it to any of the attorneys or anything, Magoulas, Huie or Haines or Foreman?

A. No, I never mentioned that.

LEHNER: Who did you speak to before you mentioned that you spoke about this before?

A. Well, some reporter came up here and asked me about various people. I don't know if he was, Magoulas, was one of them or not.

MR. GANNON: Do you remember who that reporter was?

A. No, he was from a Birmingham newspaper or something.

Q. Was this recently?

A. Yes.

MR. EVANS: Okay, so, you are on your way up the road on the way up to Memphis.

MR. LEHNER: The first night you say you stopped at a place between Birmingham and Florence, is that what you are saying?

A. That's correct.

Q. Do you remember that place?

A. No.

Q. And you used the Galt name?

A. Yes.

Q. And the second night you say you stopped at a place in Florence, is that right?

A. Well, let's take it back, if I purchased the rifle on the 30th, if you know I don't know, I think it was the 30th, the second one. Well, I had the - So, if there's 30, if 31 days in a month, 31st, first, second, so, I had to have stayed somewhere three nights until I got to, until I got to the Desoto so the 30th I would have stayed somewhere outside of Birmingham and the 31st would have been - I would have either stayed in Florence the 31st or the 1st, and I stayed in -

somewhere in Mississippi about the middle of, the north of Mississippi on the 1st and I would have checked in the DeSoto the second and the New Rebel the third.

Q. What happened at these various places you went to on, during this trip, side stopping at the hotel and driving a couple of hours, what did you do the rest of the day?

A. I think I drive more, I probably checked in and tell them I'd stay there until 11:00, 10 or 11:00 that morning, and they'd run you out at 12 or 1, and then drive three or four more hours and check in to another one. So, I would arrived there on April the 3d.

Q. Well, how long a driving time was it from Birmingham to Memphis?

A. Well, I don't know it's hard to pin it down when you, when you are driving that, that slow I guess you would, from Birmingham to Memphis, I guess it's 250 miles. I just guess, I don't know if it's that far or not. But these records, the FBI must have them because I told Huie about all these stops shortly after he come in the case and he apparently give them to the FBI.

Q. What did you do the rest of the day?

A. I'm willing to go down - I know I have - If there is anything I do know, I do know about going from Birmingham to Memphis between March the 30th and April the 3rd.

Q. What did you do during the rest of the day beside driving and stopping off at the motel?

A. Nothing, there was nothing to do. I probably just

stayed in the motel room probably about 11:00 that way I wouldn't want to be hanging around outside.

MR. GANNON: Did you try the rifle out at all?

A. No, I didn't.

Q. Where was it, was it in the back seat or the trunk or where?

A. It was in the trunk, I assumed that, because I wouldn't have laid it in the back seat.

LEHNER: Did you have a receipt for the rifle?

A. I think so.

Q. And if you got stopped what were you planning to do if the police stopped you and searched the car?

A. I wouldn't have, that's something I never considered, the police stopping me. I never really did get concerned about that until, you know, they started to, well, stopped me. I just --

Q. Well, you told us before that you usually had a plan as to what address you were going to use and what name, and if they stopped you with a gun were you going to show them a receipt under, with Harvey Lowmeyer's name on it or were you going to show them your driver's license?

A. No, I would show them my driver's license. I wouldn't show them the receipt, they don't - unless they wanted to see or something.

Q. Well, we will take a break now for a couple of minutes and stretch a bit.

MR. GANNON: Well actually, Bob, the Lieutenant came in and asked if we could come up stairs now for lunch.

MR. LEHNER: Okay. Do you want to do that Mr. Kershaw, do you want to start, take a lunch early today, now?

MR. KERSHAW: You have forced me into it.

MR. LEHNER: Okay.

(Break for lunch at 12:10 p.m.)

(12:47 p.m.)

MR. LEHNER: It is now 12:47 and the same group is here that was here this morning and we are speaking with James Earl Ray.

We were discussing what you were doing during those days between March 30th and April 3rd, and you were telling us that other than driving slowly you were spending your time in the motels. Was there anything that you can think of other than that that you were doing during that interval?

A. Yes. I have a recollection of going somewhere to get a haircut in Alabama one of those days and the barber shop was closed that day. Now, that may have been - Now, I got a hair cut I believe at one place but one of them was closed because they were closed on that particular day. Now, I don't know if that was Florence. It may, it may have been, Florence is where the place was closed on that day and I got a haircut later in Memphis.

I think that is - Yes, I recall getting a haircut in Memphis.

Q. Where in Memphis did you get the haircut?

A. It was on one of the main streets towards the Mississippi line, but I could find it, I could find it on a street map, but I can't recall it.

Q. Which day was that, that you got in Memphis?

A. Well, it was most likely been the second, it would have been close to the Mississippi line. I think I drove in and got a haircut.

Q. Now, let's take it from the second. You are clear that on the night of the second you stayed in the DeSoto?

A. Yes.

Q. Was that DeSoto the name of the county or the name of the motel?

A. Both.

Q. And what time did you get to the DeSoto on the 2d of April?

A. Well, now I can just guess on that. If I left Corinth, I'm positive that's, I stayed there.

Q. You stayed there on the 1st?

A. Yes. I would have probably checked in that afternoon.

Q. Of the second?

A. One o'clock.

Q. What did you do once you checked in on the 2d at the DeSoto at about 1:00?

A. I don't recall anything particular. I know I got a haircut. I went to the drug store and I think I left some stuff in Birming -- Atlanta, a razor or something. I think I purchased a razor.

Q. So when you stopped at the DeSoto you spent the day in Memphis?

A. Well, not, now, not, just on the edge of it there.

Q. That's the day you got the haircut in Memphis on the 2d is that correct?

A. I'm not positive, I think it was, I'm pretty -

Q. Where was the barber shop?

A. It was on a main street, but I can't -

Q. When you say a main street, was it on Main Street, the name of the street?

A. Yes, I say it may have been on Lamar Street, I got to have a map here.

Q. You are looking at a map that Mr. Kershaw supplied for you today?

A. Yes.

Yes, it would be on Lamar or maybe it would be on Highway 55. That looked, it was somewhere on the Mississippi, not too far from the Mississippi line. Now, I'm not a hundred percent whether it was April 3d or April 2d. I may have, - It could have been the morning of April 3d but I think that's been established.

Q. When you say it's been established how was that been established?

A. I think the government and my attorneys established some of this. I don't know if they established the haircut location. They might not have considered that important but -

Q. Well, did Mr. Haines know about this haircut place?

A. I don't think he - They had trouble finding it, The couldn't even find the motel, the DeSoto Motel, I don't think they found it. I probably told them about it but I don't think he asked me just where it was at, but I do

I'm, do recall that the street ran on an angle, so if it did it may have been somewhere on Lamar, but I don't know when - what I would have been doing over there, if I was staying around the DeSoto Motel. So, that makes me think it may have been April 3d I got it in the morning.

Q. What else did you do on the 3d?

A. On the morning of the 3d?

Q. Yes.

A. I stayed in the - Well, see I checked out about 11:00 and I think I stalled around. I drove around for a while, before the time I had setup for the meeting and - I ate -

Q. This was - We are talking about the morning of the 3rd?

A. Yes.

Q. Yes.

A. I know I ate breakfast. There's a restaurant that adjoins the motel and I stalled around there for 45 minutes and I can't - I can't recall just what all I did do on the morning of the 3rd except, like I say, stalled around.

Q. When were you suppose to meet Raoul?

A. That's suppose to be about 3:00 as best of my recollection.

Q. On the third?

A. Yes. It may have, yes.

Q. This was arranged when?

A. The night before at the New Rebel Motel.

Q. Well, when you saw him in Birmingham when was the last

time you saw him in Birmingham?

A. That would have been the day, the evening before I left, March the 30th I suppose.

Q. Now, did you have an arrangement at that time to meet him somewhere in Tennessee?

A. In the New Rebel in Memphis.

Q. And what time were you suppose to meet him in Memphis at the New Rebel?

A. I don't think there was any specif time there. I was just checking in and he'd, he seemed to know where it was at.

Q. What I'm getting at, on the 30th of March in Birmingham, Raoul gave you instructions to be at the New Rebel Motel and that he would meet you there?

A. Yes.

Q. Did he tell you approximately what time he would meet you, what day it would be?

A. Well, usually in a motel you can't - you can't check in until 2:00 I believe it is. So, any time within there and the evening, it's not too many hours. And all you have to do is stay around if you want to meet someone and they'll show up.

Q. Well, he told you that he'd meet you at the New Rebel Motel on the third of April?

A. That's correct, 3rd of April.

Q. That's what he told you on the 30th of March?

A. 30th of March.

Q. But he didn't specify any time or approximate time

as to the meeting that was to take place?

A. I don't recall any, I, just said to check in there and he'd make some contact or something.

Q. Now, the morning of the 3rd you think you went to Memphis to get a haircut?

A. It's either the 3rd or 2nd. It's, the thing that made me believe it would have been the 3rd was that, if it was on Lamar, see, because I wouldn't have been in that area. I'd been in the area down here where the DeSoto Motel was.

Q. How far was the Desoto from the New Rebel?

A. I'm not certain. I assumed the DeSoto was right down where, so, you'd just have to look on the map, I don't -

Q. What would you approximate this distance?

A. Now. I don't have no clear recollection of that because -

MR. EVANS: You said the DeSoto is where?

A. It would be either here or here (JER pointing to the map), it was right on the line, there's the DeSoto. See, I think it says DeSoto here --

Q. DeSoto County, right?

A. Yes, it would probably be right here. Yes, I think it would be right here, south.

MR. KERSHAW: You could come in on this highway and cut across here?

A. It could be, I don't, I don't --

MR. EVANS: You don't exactly know where the New Rebel Hotel is on this map?

A. Well, since - I think it was checked out before.

I think it is on Lamar, but I'm not certain, either that or on Poplar, but I'm not certain.

Q. Well, was there any - Well, let me just ask you this. Approximately how many miles would it be from the Desoto to the New Rebel, just approximating, are we talking about a couple of miles?

A. Well, looking at the map, I'd say, I don't know how big Memphis is. I'd say four or five miles.

Q. Was there any reason you didn't stay at the New Rebel on the second since you were supposed to be there on the third?

A. It would have been no reason except I'd rather stay out in the boon docks or whatever you want to call it rather going into town.

Q. Why?

A. Well, I mean there's less traffic and there's always the possibility you could get stopped for a traffic ticket or something. There's less police around.

Q. Which was the better hotel, the DeSoto or the New Rebel?

A. Well, the DeSoto seemed like it was kind of a rundown place. The New Rebel was more modern place.

Q. What I'd like to understand is, why if you had to meet him on the third in the New Rebel and they are only a few miles away, why didn't you just go there so that you wouldn't have any hassel trying to change and make sure that you saw him on time, also, in light of the fact there was no time specified

for you to meet him, for you to meet him?

A. Well, April the 3rd was specified, of course I could have went straight to Birmingham and drove right straight into Memphis, but I just thought - I didn't know what my reasoning was at that time, but I just didn't want to, I guess go into town with the rifles and things like that. Anyway, I made some kind of a judgment to do it like I did.

Q. You said rifles, you only had one rifle, right?

A. Yes, one.

Q. Did you have your handgun?

A. No, I didn't have it at that time.

Q. Did you have any handgun?

A. No, nothing.

Q. What time did you check in at the New Rebel?

A. Well, it would probably be as soon as I had an opport --- As soon as the time span allowed. I think you usually can check in at 1:00, I think that's so I would have checked in as soon as the new day started.

Q. Well, if you get to a motel at 11 in the morning they won't accept you at that time?

A. Well, it's any impression, it's always been my impression you didn't go in a motel in the morning and check in for that night and the next day too for all for one price. I may be wrong, that's just, I never did, I know they run you out of them, what is it, 1:00, 12, or 1:00.

Q. Well, there's check out times -

MR. GANNON: Check out times, sure -

MR. LEHNER: -but if they have vacant rooms and you got there before the check out time your understanding was you wouldn't be allowed in unless you paid an extra day?

A. Well, I thought there was a time - I think you check in a motel 12:30 a.m., well, you couldn't stay there until the following day, 12:30 a.m., plus that morning. In other words I think they have a certain time. Now I don't know, but I just assumed, I've always assumed they had a certain time where you could check in. Now, I have went in a motel, motels, at 8 or 9:00 in the morning and checked out after four or five hours, but I've never stayed 36 hours on - I don't believe -

MR. EVANS: How did you know where the Rebel - the New Rebel was?

A. I just checked in the phone book. I think I looked that up at the DeSoto.

Q. Did you, did you know how Raoul picked, chose, did you ask him why he did choose the New Rebel?

A. Well, I assumed, now, why he picked it. But I didn't have any idea then.

Q. What's, what's your assumption?

A. Well the police guarding me, told me that it was run by a person with a criminal record, things like that.

Q. Oh.

A. Shifty activities going in there.

MR. LEHNER: So that you now realize that Raoul picked it because he knew someone that was associated, or that own it and that therefore, there might not be any questions asked if he - if he was doing anything illicit there?

A. Well, possibly, if you came in visiting or something, I don't know what the procedure is for visiting motels late at night but I assumed they have night watchmans around there or something. I know a lot of these motels, they have girls and things coming in and out, and certain motels, they are not as strict on the rules as some of the other ones up town would be.

Q. How do you now realize that the person who owned the New Rebel had some kind of a criminal connection?

A. The police, the police guarding me in Memphis made some reference to that and I read, then later on I read something about it. But I think I read something about it. I have a clear recollection of learning later on, not only the New Rebel but the DeSoto, they, they had been in trouble with the law several times.

Q. What illegal activities did you and Raoul carry on at the New Rebel?

A. I didn't carry on any, except the rifle.

Q. Did you show him the rifle at the New Rebel?

A. No, I don't think I did.

Q. Did you show him the - When did you show him the gun?

A. I think the last time he saw it was in Birmingham, it was raining that night and he came there and I think he got it under his rain coat somehow, not all of it, but most of it. It was in a box or something.

Q. And after you showed it in Birmingham when was the next time you showed it to him?

A. I never did show it to him after that.

Q. When was the next time he got it after you showed it to him in Birmingham?

A. He got it at the New Rebel that night. I don't know what time it was. I know it was raining hard and I think it was 9 or 10:00.

Q. Where was the rifle?

A. It was in a box.

Q. In your room?

A. Yes.

Q. Did you show it to him in the New Rebel?

A. No.

Q. What happened then?

A. Our discussion and all that?

Q. Yes.

A. Well, of course, he inquired about the rifle and I told him I had it. It was in a box and of course I assumed he knew that and there was some discussion about where we'd meet him and I would rent a room, and things of that nature.

And I think he gave me the address that was written on a piece of paper. He give me a certain time to be there.

Q. What time was that he gave you?

A. I think it was around 3:00, maybe earlier. I think it was around three. I think it was exactly 3:00, and it was some discussion about renting a room, I think, I'm not, I'm vague on this. I would rent a room and I think I mentioned to him, he said something about, I think he, I got the impression he wanted me to rent, didn't want me to, but thought I'd rent it under my name or something, and I think that's the first time we decided on the Willard name.

Q. How was that name decided on?

A. I, well, that was my name, I came up with that particular recollection since then of knowing someone in some connection with some type of a fence. I'm not certain, I just can't peg that Willard name down. If you look back through my records maybe some Willard would crop up, I can't think of it.

Q. And what was the name - what was the reason that another name other than Galt was going to be used at the, at the rooming house?

A. That was my, my decision, if there was any weapons or anything, anything illegal and especially in a rooming house or hotel, then I - That would be standard procedure for me to use a different name especially a flop house.

MR. EVANS: Did he give you any directions as how to, when he gave you the address, did he tell you how to get there?

A. He just said it was downtown, it wouldn't be hard to find.

MR. LEHNER: Did he say how long to rent the room for?

A. Not at that time, no.

Q. When did he tell you how long?

A. Well later on I got the impression that we'd be there a few days, I didn't --

Q. Any time before you rented the room did he tell you how long to rent the room for?

A. Well, I just got an impression, I didn't get any specific answer. I assumed the conversation about showing, displaying guns and

transacting guns, it wouldn't be too long. There was some mention about going down the river to New Orleans or something, there was just nothing specific on about how long I would be there. But every, all the conversations I had, I had the impression that it would probably be three or four days.

Q. Now, you said about displaying guns, was there more than one gun that was going to be displayed?

A. Well, Yes, there was a reference, I'm not sure where it was told to me, it was either, I believe it was told me the next day in the mo -, in the rooming house, that I would probably be going back to Birmingham and getting some, more of the scope rifles and more of the, in addition, purchase some of the surplus rifles.

Q. When was that said?

A. I think that was mentioned the next day, in the rooming house.

Q. About what time was that?

A. Well, that would have been one of my short visits in the rooming house then. It would have been, it would have probably been 5 or 5:30.

Q. Was that before or after you purchased the binoculars?

A. That would probably have been after - I think that's one of the first things I did, was purchase the binoculars.

Q. He then told you after about 5 or 5:30, that you would be going back to Birmingham to purchase more rifles?

A. Yes. If the transaction went through, but, those

were all impressions I got. They were not really definite but they, they were strong enough to make me believe that I would be going back.

Q. What time were the purchaser or purchasers suppose to arrive at the rooming house?

A. Well, apparently it was suppose to be sometime after six o'clock, somewhere around there. I'm not sure, they were suppose to arrive at the rooming house, because he did ask to use the car once, so, I assumed maybe he was going to meet them some place else or drive them some place else.

Q. How did he get to the New Rebel?

A. How did I get there?

Q. How did he get there?

A. I guess he drove a car, I have no idea.

Q. How did he get to the rooming house?

A. Well, I assumed he drove a car, but I don't have no idea.

Q. So it is your understanding that he left that car in Memphis when he got into your car later?

A. When he got into my car later?

Q. Did he leave the car in Memphis or did he take the car out of Memphis?

A. The Mustang?

Q. The car that he used to go to the New Rebel. Did he use that car first of all to go to the rooming house?

A. Well, I don't know how he got to the New Rebel. I assumed it was a car, he had a raincoat on and it was raining, and the New Rebel is laid out so that if his car

was parked in the street or something you couldn't see it because it's a horse shoe shaped place, and it's a driveway comes in and the, as I recall right, where you check in at it, it protrudes quite a bit out and, only way I could have seen anyone coming in there period would be looking out the window when the- drove up, that is, if they parked in the motel, if they parked out on the street it would have been impossible to seen anyone because the street were just laid out at the motel where you just couldn't see anyone.

Q. What time did he arrive at the New Rebel at your room?

A. It was dark, I assumed it was about 9 or 10:00.

Q. What time did he leave?

A. Half an hour later, whenever that was.

Q. What did he take with him?

A. Well in addition to the rifle I don't, I can't recall anything that he took.

Q. Did he look at the rifle in the room?

A. No, there was no more looking at it.

Q. Had you taken the rifle out of the car when you stayed at the New - the DeSoto?

A. I don't know if I did or not. I don't, I'm reconstructing this. I don't think I would have taken it out. Because I had it in the trunk, I'm positive I wouldn't have took it out. I would have probably took my, I usually had that small suitcase, that overnight case, I would have took it out.

Q. What was the reason that you took it out and had

it in your room at the New Rebel?

A. Well, that's where he was suppose to pick it up.

Q. You were expecting him to pick it up?

A. Well, I didn't know, I had the camera equipment he didn't pick it up, I assumed he was going to, I mean, I was going, I was going through the bargain or whatever you want to call it.

Q. Did you have the camera equipment in the New Rebel or did you have it in the car?

A. No, I don't think I ever moved that camera equipment. I think it stayed in that car from the day I put it in, in Birmingham until I --

MR. GANNON: Did you ever, did you ever ask Raoul to take the camera equipment off your hands, it was just, I guess cluttering up the trunk wasn't it?

A. I asked him in Mexico after we crossed the second customs house. He said, he acted kind of nervous and he said, no, he'd get it later or something.

MR. LEHNER: Did you bring it up to him again after Mexico?

A. I forgot about it. It just stayed in the trunk. You know, I never thought about it.

Q. Did you think the gun transfer was going to take place in the New Rebel?

A. Yes, I was, well, I didn't think, but these are assumptions you make.

Q. Why you brought the gun into the New Rebel?

A. Yes, that's one of the main reasons is, if you are told to meet somebody at some certain extent, well, I would assume -

Q. It was raining when he entered the New Rebel and when he left?

A. I'm not a hundred percent sure, but I think it was raining pretty, he had a raincoat on, and I had some recollection of, if it wasn't raining, the weather was bad or something. Q. And when he left your place at the New Rebel he had the rifle with him and walked out in the rain with it? Is that right?

A. Well, I'd say he had it under his coat or something, part

Q. And you don't know if his car was parked out in front or was parked some distance away where you couldn't see it?

A. I have a strong recollection it was raining pretty hard, because, you know, on second thought, because, I guess you'd have to check with the weather report, but I have - I didn't see anything, I do have a strong recollection it was raining hard that night.

Q. Did he tell you how he found out where your room was at the New Rebel?

A. No, my car was parked right in front of it, so, I think it's, they're marked off in stalls.

Q. So if your car was parked right in front of it he would have parked right next to your car, right?

A. Yes, possibly, yes.

Q. And, therefore, his car would be right outside in front of your window, right?

A. Yes. But I don't, I don't recall seeing any lights. Usually you see lights reflected, somebody pulls up, I don't recall ever, I would, I don't recall, now, and I don't recall eight years ago, so, I, there's an assumption that nobody pulled up there. Now --

Q. On the third at the New Rebel did he tell you when

the people ^{who} were going to buy the guns were going to come to Memphis?

A. I think there was just vague reference made there. I think most of the references were made after we was in the rooming house, there was mention made that I was going back to Memphis or something like that.

Q. Going back to Memphis?

A. Yes - No, Birmingham.

Q. What was your, what was your understanding on the third when he told you to meet him at the rooming house, what was your understanding as to what was going to happen in that rooming house? You spoke to him on the third?

A. Well, I, this is an assumption, well, I would assume there was suppose to be some type of a gun transaction there, but -

Q. Gun transaction was suppose to take place in the rooming house on the fourth?

A. Some type of display or something.

Q. On the fourth at the rooming house?

A. Yes, that's correct.

Q. Now, did you ask him why he wanted to take the rifle since you had been handling the rifle and he had been the money man and you had been taking the risk, handling the rifle, did you ask him why, now on the third, he wanted to handle the rifle?

A. No, I didn't ask any questions. I don't recall ever asking him over two or three questions at the most. I

would never ask anybody why he was, he didn't want me to do it or something if he was a middle man in some type of an arrangement.

Q. Did he tell you what your function was going to be on the fourth when he spoke to you on the third? Did he tell you why he wanted you there on the fourth if he was taking the rifle?

A. Well, there was nothing, nothing specific, I think my function was to rent a room there, and just maybe use the room for some type of meeting of some sort, that was my only function that I could determine at that, at that time.

Q. And you were to be in the room at what time?

A. About three o'clock.

Q. Did he say where he would meet you?

A. Well, I'm not - I'm not - I can't recall all the details on this, but I think the first meeting was suppose to be in Jim's Grill underneath, and if that didn't work out why I was suppose to call him or something - Q. Call him where?

A. -in New orleans or something like that.

Q. If you didn't meet him in Jim's Grill you were suppose to call New Orleans?

A. Well, that, that was always arrangements we had. If something happened why get in contact with some number -

MR. EVANS: Is this the same number that you gave us, the partial number that you gave us, 7557? Is that --

A. That's correct, yes.

MR. LEHNER: Was there any reason why he, that he gave to you as to why he wanted the transaction to take place in the rooming house as opposed to the New Rebel?

A. No, I made assumptions about that later on, but --

Q. What assumption did you make?

A. Well, it's the type of neighborhood, you can come and go as you want to. Usually those places around the river front are all, kind of-a lot of questionable operations going on around there and -

Q. Was it your idea that you were going to stay there about three days there with the, with the gun in the room?

A. No, I didn't have, I didn't, it was my, I didn't have any impression that I was going to stay there with a gun. I had the impression I was going to stay there. I took, I --

Q. Well, what was your impression as to your purpose of staying there for three or four days?

A. Well, I think he was suppose to, trans-, contact some other parties or something of that nature, and that was just the impression that I got. I was never told, you know, well, we will stay here a week or something.

Q. Well, it was your impression that you were staying there for the purpose of displaying weapons?

A. Either that or they, I had the impression more that, that would be a meeting rather than displaying the things. That would be some type of, just a place to, you know, hand your hat while you talked to someone or something.

Q. And can you think of any reason why a place like the rooming house would be chosen to show rifles when it didn't even have locks on the doors such as the rooming house was chosen for that type of thing, meeting, as opposed to the New Rebel which you now know which is a place where, which was run by people who had

criminal connections?

A. Well, I can't think of any on the -- Well, if I had my choice and I was making some kind of illegal transaction I'd rather, unless I knew the owner of the New Rebel was shady I'd rather make it there on Main Street. But I think what you are getting into, what we will probably be getting into now, what you know, the reason for renting the room, whether it was to shoot King or make some kind, make some type of gun transaction. I see, the New Rebel - I don't think shooting anyone form there but that's, these are substantial areas we are getting into, so, and that's, based on my judgment and things like that.

Q. Well, what i'm, what I'm getting at is your state of mind, are, are you at that time wondering if we are showing guns, why are we doing it in this, in this rooming house without locks on the door, as opposed to a place that has a lock on the door, such as the New Rebel. If you are looking for some clandestine operation where you don't want other people to walk in on you and notice what is happening, especially where you have a rooming house where there is a landlady and you don't enter directly into your room as you do in a motel?

A. Well, of course, I have strong, strong suspicions now that there was never meant to be any kind gun transactions, although there ery well might have been. I guess everyone looks at things different. I think, if you forget a minute, the motel, the New Rebel Motel was, the proprietor was some type of a shady individual, I think that by all means I'd rather have the, have the Main Street for a

transaction because usually there is a lot of winos down there, while they might pick up, you know, pick up your razor or something and sell it. I don't think they, they are, harmless outside of that, so

Q. What did you say?

A. They might pick up a razor, or steal your razor, or clock or something, but they wouldn't - But I don't think they would come in your room unless they was drunk, really drunk, and they'd have to work up their nerve or something.

Q. All right, after he left the New Rebel on the 3rd with the weapon, you stayed at the New Rebel that night, or did you go out somewhere before you went to sleep?

A. No, I didn't go anywhere.

Q. And what time did you get up in the morning, and what did you do then, the morning of the 4th?

A. Well, I stayed, stayed there quite late in the day, late in the morning, 11:00 and I stalled around and it took me about an hour to eat breakfast. I'm not sure if I got a haircut that morning, but I think -

Q. You might have gotten a haircut the morning of the 4th?

A. It's a possibility, I'm not certain.

Q. It might have been either the 2nd, 3rd, or 4th?

A. Second, it wouldn't have been the second.

Q. Well, I thought you, before you said that it was either the 2nd or the morning of the 3rd?

A. Well, it could have been the 4th, I, I just don't know that's, they've, I think it was the same day I went to the drug

store to get a razor. I think I left the razor and I think the police have the - I think it's in the statement I gave, I, right there on the desk, they have, the day I went to the drug store and got the razor, I think it was the same day, but I just can't -

Q. What statement are you referring to?

A. There's a statement in there what the police would prove. I think that's it there.

Q. Oh, this is, this material that you gave us?

A. Yes. Do you want me to look through here?

Q. Well, it's not necessary now, whatever your recollection is is what we are now interested in.

A. Well, go ahead, I'll glance through it while you are asking me.

Q. Well, I don't want you to have to do two things at once. If you want to look over it fine.

A. Well, I don't, I don't even see it in here. No, it's, I don't, I don't, see it.

Q. We'll at a recess, we'll take a brief recess this afternoon--

MR. EVANS: What else did you purchase beside the -

MR. LEHNER: Excuse me, there will be a recess here sometime in the afternoon. If you want to look over them and we can get back to them.

A. I don't think that's a stip- I think that would have been the stipulation. I don't believe that's -

Q. You don't believe we have the material here?

A. No, I just think that's something the State contended

they would prove and I think the stipulation was different.

MR. EVANS: James, you said you bought a razor, what else did you buy?

A. That day -

Q. Yes.

A. -or whatever day it was. A razor -

Q. Third, fourth, whichever date?

A. I guess that's it, I can't recall.

Q. Did you buy that from a local store or in a motel?

A. I think it would be in a drug store close to the Mississippi line, somewhere close to DeSoto County.

Q. Did you get a receipt in the bag?

A. Yes, I think so.

MR. GANNON: Did you get a good night's sleep the night of the third?

A. Well, I don't recall, I think I did.

Q. I guess the reason I ask I saw in one of the books, a place, reported about the night clerk looking up and seeing your light is on, like at 12:00 midnight, then 2:00 a.m., then 4:00 a.m.

A. Well, that was just - I think Gerald Franks, that's just jazzing up the book. There's nothing like --

Q. The way you remember it, you got a fairly good night's sleep?

A. Yes, un huh.

Q. Did you make any phone call from the New Rebel?

A. I don't believe there was no, I don't believe there was a phone in there.

Q. Did you make any phone calls from any of the places on the way from Birmingham to Memphis, including the

DeSoto and the others?

A. I never made, no, I never made any phone calls, all the time I was in Memphis, other than the stops I made in between Birmingham and Memphis, I never made any phone calls.

Q. On the 2nd and the 3rd, you know you were - the second that's at the DeSoto and the 3rd you stayed at the New Rebel, did you drive through Memphis at all in and out of the town?

A. I think I just stayed on the edge of it on the Mississippi side.

Q. You didn't drive downtown at all?

A. No, I'm almost positive that I didn't drive downtown.

Q. Did you pick up the newspaper, the Memphis newspaper during those, during that time?

A. I have no recollection of it but I usually always buy a morning paper so it would have been unusual if I hadn't of bought it.

Q. Did you know anything about the sanitation worker's strike? A. No, I wouldn't --

Q. Did you know that there was a sanitation worker's strike while you were in Memphis?

A. No, I had no idea, sanitation strike.

Q. Did you know that Dr. King was due to arrive in Memphis?

A. No, I had no idea then.

Q. Did you know who Dr. King was?

A. I probably had a vague idea, but I don't

have any strong idea. As far as him arriving in Memphis, I understand he didn't know he was suppose to arrive there himself. So --

Q. Did you know that he, when you were in Memphis did you know there was such a person as Dr. King, Martin Luther King, who was a civil rights leader?

Q. I probably had an idea of him like I'm trying to reconstruct what I would have an idea of, now, of course, I know the President, the Vice President, I'm a lot more aware of public officials and politics now than I am at that time. I'm more interested now. But wouldn't, probably at that time I wouldn't have had any specific knowledge of any individual at that time.

Q. What I mean is, did you know that there was such a person when you were in Memphis? Did you know there was such a person as Dr. Martin Luther King and that he was a -- purported to be a civil rights leader?

A. At that time, at the particular time I was in Memphis I had no idea but I probably, I may have had a vague idea that there was such an individual, but if it would been in the paper not only about him but President Johnson, or someone else, I usually just buy the paper and glance through and look at the sports pages or something, just a force of habit. I wouldn't, unless I wanted to find a job or something I wouldn't be reading about all the public officials at that point.

Q. On the 4th what time did you get up and what time

did you leave the New Rebel?

A. The 4th, well, I ate a meal there at the restaurant adjacent - I must have - I probably went in there 11:00. I probably came out at 11:45, that's as close as I can get to it. Let me get, expand on these newspapers a little more. Sometimes when you are in solitary confinement or something like that or if you don't have anything to do up in your room, well, of course, then I might read the paper, you know, from front to back, but I'm just talking about picking up a newspaper, when I had some other business to take care of. I wouldn't be reading up on all the local scandals or anything like that.

Q. All right, what time did you leave the New Rebel on the 4th?

A. I believe I left the restaurant about 11:30, maybe 12:00, but I can't be sure.

Q. Do you know what time you checked out of the New Rebel?

A. Probably 11:00.

Q. Did you pay, pay in cash?

A. I believe I paid when I came in.

Q. And what time did you leave the restaurant?

A. Just guess, 11:45 or 12.

Q. Where did you go?

A. Well, I drove around. I had till 3:00. I think, I think I drove towards the Mississippi Line. I think I stalled around a few taverns down there. Well, anyway I stayed in that area until approximately 2:00.

MR. GANNON: Did you have a couple of drinks in those taverns?

A. Well, I don't drink. I buy a beer or something I won't drink over half of it, you know, because I don't care too much for it. I did have a recollection of eating a sandwich down there somewhere, but that's about it. I think my, my activities at that time would be all in a specific area of south Memphis.

MR. EVANS: Being a fugitive did you notice any unusual police activities?

A. Well, not in particular. There was a lot of police around there, are you talking about on hindsight or at that time?

Q. Well, I'm talking about at that time, did you notice any sort of unusual police activities, unusual amounts of radio cars, you know, patrol, prowls cars?

A. No, I don't think -- I have some recollection now of there being a few more patrol cars than normal, but the different towns have different things. I know if you go into certain parts of Los Angeles you don't see nothing but police cars where in other sections you very seldom see one. So, if I saw a lot of patrol cars around I'd just assumed I was in a hot neighborhood or something.

MR. LEHNER: And you said you had time till three o'clock, what did you do during that time?

A. I spent most of that time in South Memphis probably close to Mississippi.

Q. A couple of taverns?

A. Yes.

Q. And what did you drink?

A. Probably a half bottle of beer in both of them.

Q. Do you remember which places they were?

A. I think, I, on recollection, I think one of them would have probably been in the Mississippi, on a line, right on the line because I think they had some type of a - I don't know if it was alcohoic beverage law or something. I don't know if you can buy beer in Memphis during that time, during that time, of day or something, but that might, that might be false, I don't know, but the only thing I do know is that I was in the sounth part of Memphis, probably close to Mississippi.

Q. What did you do after the, going to these two taverns?

A. Well, well, I went down there from the New Rebel and I think that's, that's about south middle Memphis. I don't know how long it took me to get down there, I'd say 45 minutes. I know I, I stalled around in that area until about 2:00 and then I, then I left that on the way to Main Street about 2:00.

Q. What happened then?

A. I may have made one inquiry or something about Main Street. I know, I knew, it was downtown, I was told that much but, I didn't know exactly where downtown and I think the first inquiry I made was, was the public place where I checked the car at, and I think he give me directions and I stopped two or three places along there getting directions on where Main Street was. I just knew it was downtown and that was it. I think what I did, I think I drove, when I got towards the area that looked like downtown, I drove off in a

regular parking lot, a public, a public garage.

MR. GANNON: Did you think of getting a map?

A. In Memphis?

Q. Yes.

A. Well, not particularly. If I got a map I wouldn't knew much more than what I knew by inquiring, because I could have found Main Street probably, but you got to have some familiarity with the town before you can found the street.

Q. I was wondering why you, since you had the car, that made you much more mobile than you would be on foot, why would you bother to park the car instead of driving around to find the place?

A. Well, I don't like to drive around the middle of town trying to find the street or anything. I figured, I was pretty close to uptown, I just figured I would just, you know, walk on down there, and, of course there was no, not even no certainty that I was going to have to take the auto down there. But, of course, --

Q. Why do you say that, why do you say there was no certainty that you had to take the auto there?

A. Well, I wasn't a hundred percent certain, that I would have to end up, I thought I would, but I wasn't sure that, you know, that you could even park down there far as that goes, in that area, so there was no compelling reason why I had to drive the car down there, looking, you know, driving around downtown trying to find the street I was looking for.

Q. How did you decide to park where you did park?

close to downtown and that's probably the reason I parked there.

Q. What, what was the place that you did park, do you recall?

A. I recall the location, but I recall the street.

Q. What was the location?

A. Well going from Main Street, now, I'd say you go north on Main from the rooming house we are talking about before, go about five blocks down north, turn right and go five or six blocks and that would be sort of south, and turn left and go a couple of blocks, and the main, that was, the parking lot was right in that area. It would be on the left hand side of the street.

Q. So if you were leaving from the rooming house you would go five or six blocks north?

A. North.

Q. Then you would take a right?

A. That's correct.

Q. For how far?

A. Five or six.

Q. And then what?

A. A left.

Q. How far?

A. A couple, two or three.

Q. And that's where you parked?

A. That's correct.

Q. And then from there you got out of the car, did you take anything that you had with you in the car with you at that time?

A. No.

Q. And what did you do?

A. I started looking for the rooming, for the Main Street place.

Q. Was there any reason you parked so far away from Main Street, five or six blocks from Main Street?

A. Well, I parked as close as we could to, from the main park of town.

Q. Well, you were looking for a particular number on Main Street weren't you?

A. Yes. I was looking for a street too, and I was informed the night before that it was downtown so I parked.

Q. Well, you were looking for an address, what address were you looking for?

A. Main Street, 400 something, whatever it was.

Q. And yet you parked five or six blocks away without having, five or six blocks from Main street without having passed by this particular 400 number that you were looking for?

A. No, I never passed, that's the first time. The first time I passed by was when I drove up there later but, I was just under the impression that the address was downtown somewhere and I could get out and make a few inquiries and find out where the address was and I wouldn't be out the 75 cents, a parking bill, I could then get in the car and go, you know, find out where it was at.

Q. Well, were you told the name of the grill to look for Raoul at?

A. It was mentioned of Jim's Grill, yes.

Q. And you were told that, that was right underneath this rooming house?

A. I believe, yes, I believe that was it.

Q. Was there any reason you didn't drive up and down Main Street looking for Jim's Grill so that you'd be able to find it, and then once you had it located, to look for the nearest parking lot from there?

A. Well, I didn't even, I didn't even know where Main Street was at the time. It was my idea just to park the car there and try to find out the street and where it was at, and then get in the car and go on up there.

MR. GANNON: Wouldn't it have been easier just to go in a gas station and say, how far am I from Main Street, I'd like to get over there, and get directions that way while you still had the car? You had much more mobility than, than you would have when you were on foot. I mean, it's one thing to be lost in a car and another thing to be lost on foot. On foot you're, you know, it's going to take a lot longer to get where you are supposed to be going.

A. Well, at the time I still had an hour. I can't, see those, those are judgment questions how come, you know, if I were to drove the car up there and found that, then I could foresee then why someone would wonder couldn't you just park the car and go find out where you was at. But I think I did make two or three inquiries of where the street was. I think the parking lot attendant and some --

thing like that, but I just don't like driving around town, a strange town especially, looking for oneway streets and all that, trying to find a, you know, particular address.

MR. EVANS: Was it congested, was the area congested, this main street area was it congested?

A. Where I, it, where I parked, where I parked at it was pretty heavy. Because it was, it was right on the edge of the main part of the city.

Q. Well, you parked five or six blocks away from Main Street?

A. Away from Main Street?

Q. I thought you said from the rooming house you had to take five or six blocks and then a right for about five blocks I think, and then I think you said you took a left for about two blocks, so that's about five blocks from Main Street that you parked?

A. Yes, I would guess there about.

Q. What did you do with the ticket for the parking lot?

A. I guess it's in my, part of the FBI, FBI evidence.

Q. Do you mean, you think you had it when you were picked up in London?

You left it in the car?

A. Well, I possibly threw it away. But, I described this in somewhat detail for Haines and Huie and I assumed he gave it to the FBI. I could pick this place out now because it was, and had certain characteristics which would be easy to remember, so I know where I parked at.

Q. Well after you parked you then walked to Jim's Grill,

is that right?

A. Yes.

Q. Did you go directly from where you parked at Jim's Grill or did you stop anywhere?

A. Well, I stopped at another Jim's place. I think it was, now, I don't recall the name Jim on it but later on I was told it was a Jim's Cafe or something, and inquired about the address. He said something about, that I was in the wrong place or something, and it was down the street or something.

Q. But you didn't have anything to eat or drink at this wrong Jim's place, did you?

A. I think I stopped in, yeah, I know I had a half beer but I didn't drink it all, but --

Q. Well, didn't you have the address you were looking for, the 400 number?

A. Yes.

Q. And by looking at the numbers near this other Jim's place did you realize that this was not the one that Raoul had reference too?

A. I don't know if I had, this is a rundown ar-, neighborhood. I don't know if it had the number on there or not. But I think now, I don't know if this place was Jim's but if it was I might have thought I got the wrong address or something. But I definitely recall going in a place like that whether there was a Jim's Cafe, I couldn't say you'd have to check it out.

Q. So after you ordered this beer what did you do next?

A. I stayed there a few minutes I suppose and went on in the direction where the grill was suppose to be.

Q. What happened then?

A. Well, I forgot, I'm not sure about all the transactions. I made so many of them within an hour, half an hour period.

Q. Well, tell us as best you recollect at this time.

A. Well my recollection is now that I met this Raoul in the tavern underneath.

Q. About what time was that?

A. I think before - Now, before I, met him, well, that would been aobut 3:30.

Q. So you were about a half hour late?

A. Yes.

Q. Did you have a watch with you on that day?

A. Yes. I think before I met him I run across another party in another bar or something and I'd forgot about this.

Q. Which bar would that be?

A. Well that would have probably been the other one down the street, the first one.

Q. Jim's Cafe?

A. Yes. Some individual had certain similarities to him and he was with some other individual, but -

Q. A person that looked like Raoul you mean?

A. Well, he had certain, he was dark - I know he looked at me two or three times. I forgot about this until I read Chastain's book or something here a couple of days ago. Well, anyway --

Q. When did you read Chastain's book?

A. I read some article he had written, written about it or something.

Q. When was that?

A. When was that?

Q. When did you read it?

A. A couple days ago.

Q. A couple days ago, was it since we saw you last?

A. I believe it was, yes.

I got these various excerpts and stories and I'll tell someone something and I'll forget it and I'll read the book. I told Huie this, anyway, so, but I think Chastain said I told Huie and - But, anyway, I seen these two individuals in this first tavern but when I got to the Jim's, grill and I met Raoul, and then we had the conversation about me renting a room, and what's, later on I read it. I had some recollection about me and him being in the car but I, I can't recollect when that was. One of the first conversations was that I would purchase some type of binoculars with the infrared binoculars.

Q. Well, let's see if you can take it step by step again. You met Raoul about 3:30 at Jim's Grill and as best you recollect now what was that conversation?

A. Well there was, the conversation was about - I would go ahead and rent the room. There wasn't much more conversation than that.

Q. Was there conversation about what name you would use?

A. I think we made some kind of determination on that the night before, the Willard name.

Q. And was there a determination as to what room you would rent?

A. No. I got the impression from him that there were rooms available there.

Q. And was there a determination as to what view you would look for as far as the room?

A. No. The lady that rented the room she said there was two types of rooms, a sleeping room, and plus some type of a housekeeping room.

Q. And as far as when you and Raoul spoke at 3:30 in Jim's Grill was there a discussion as to whether or not it would be a room for one, just for you or would it be a room for two, for you and he?

A. There was no discussion on that, I --

Q. What was your assumption?

A. Well my assumption would be for me, because I wouldn't be interested in two people in one room.

Q. You were assuming that Raoul would stay at a different place, not at that rooming house?

A. Well, he may stay there but I didn't think he would been staying - If I rented one, one room - Now, I'm talking about after I rented the room, what assumption I would make. I -

Q. I'm talking about 3:30 when you are talking to him at Jim's Grill, were you assuming that you were going to rent just one room under your name and that he was going to rent another room in that place or was he going to stay somewhere else, what was your assumption at that time from all your conversations with Raoul up to then?

A. Well, I didn't have any assumption where he was staying. Later on I had some type of assumption he was staying there, but I, at that particular time I didn't have any. If I rented a room I assumed I'd be, I would be the only one staying in there unless there was some type of business transaction. But, let me say about this area, I had some trouble recollecting all these various trips and I think I have - I know I went back and got the car from the parking lot but I'm not real certain just when I got it, whether it was before I rented the room or after I rented the room. I'll just have to reconstruct this on what I think I would do now, and I think I would probably got the car after I rented the room.

Q. I'll tell you what we'll do, we'll take a break for you to think about it, if you would, for one moment, and we'll give our stenographer a chance to rest up.

(Break at 1:44).

MR. LEHNER: Okay, it is now 1:51 and the same people are here that were here prior to the recess.

We were talking about your impressions when you were in Jim's Grill and you met Raoul, and can you take it from there, what was your impression as to - your impression was rather that you were going to be staying in the rooming house for maybe three or four days-

A. At the most.

Q. -and what was your impression of Raoul? Would he be staying in the rooming house, staying elsewhere, all of your conversations to date including the one at the Jim's Grill, what was your impression?

A. Well, I thought there was the possibility that he would be staying at the rooming house, but there was no certainty.

Q. Had he ever stayed in the same place as you before?

A. I can't think of any place unless it would have been the motel in Mexico.

Q. Did he stay overnight there?

A. I don't know if he did or not.

Q. You are talking about in Nuevo Laredo?

A. Yes.

Q. Can you recollect, think back whether or not he stayed overnight in that motel?

A. No, I can't, it was a, he had a car there, someone else did, but I can't - I can't - I assumed that's another one of those motels like the New Rebel where the owner is somewhat under suspicion or something.

Q. What kind of car was that that Raoul ~~rode~~ in, in Mexico?

A. I don't know what the make of it was. It was a, something similar to a Ford or Chevrolet. I'm not conversed in all these models.

Q. Do you know whether or not he ever drove a car in the United States?

A. No.

Q. And you don't know how he transported himself any time other than the time you were transporting him in the United States?

A. I thought it was public transportation because everything lead me to believe it was public transportation.

Q. Was that your impression of how he was transporting himself to the New Rebel and from the New Rebel?

A. I don't know about that. I never even looked. I never even just glanced outside from the New Rebel. As I mentioned, it was raining.

Q. Okay. At the time you saw him in the, at Jim's Grill it was about 3:30 and how long did you spend with him in Jim's Grill before taking leave of him?

A. Before I took leave of him, I can't be specific about how long, I would say in the grill, not over 10 minutes.

Q. Did he tell you where he wanted that room to be in the rooming house?

A. No. That was, it was just a mention of the room and that was it.

Q. For all you knew you could have been in a room that

faced out on to Main Street, right?

A. Well, these rooms are, there's no problem going from one to the other if you want to go in one.

Q. But he didn't give you any directions, you could have just as easily taken a room in the, as you just go directly up the stairs facing the front and Main Street, right?

A. I don't recall at this time any directions to rent any specific room. I think it was more or less the mention of the room. There may have been some recollection, but I don't have any recollection of that at all.

Q. Well if he didn't give you any instructions on where you rent the room and you rented a room that faced out on Main Street and the first building, the building where you go directly up the stairs, wouldn't that be a bad thing for his eventual plan to shoot King from the back of the rooming house in the adjoining building?

A. You mean if a party intended to shoot a party in the back?

Q. Why would he get a room in the front, especially that you got since the room in the back/was not in the same building but it was sort of in an adjoining building to the building where you walked up the stairs?

A. Well, you are asking me, you know, to put myself in someone else's position, I --

Q. Yes, that's what I'm asking, I'm asking --

A. yes, I told - well, I'm not known for deep planning, I would think caution more than anything else. I would assume if anyone

was going to shoot someone that he wouldn't exactly know where his location was going to be. I would suppose you could shoot someone from Main Street but, of course, if you are talking about specific, I seen the mock-up of the hotel and I could see where it would be an advantage of being in the back, but of course there has been allegations that the shooting took place in the back yard or something.

MR. KERSHAW: How many bathrooms are there on the floor?

A. I have no idea how many there are on the floor.

Q. But there was this one, - A. I think, yes, there was one.

Q. - and all the rooms up there you could get from one of those bedrooms to that bathroom if you wanted to?

A. I suppose so.

LEHNER: Of course, if you were getting from a front room that faced out on Main Street to go to a back bathroom that forced out on Maulberry Street in the adjoining building you'd have to carry that rifle through the entire rooming house with the chance of someone seeing you, wouldn't you?

A. Yeh, I suspect in that type of rooming house, with that type of clientele you coulda led an elephant down through there and they wouldn't had been no disturbance. They would just thought they were, they had too much to drink.

MR. KERSHAW: During the morning of that day you didn't know where Raoul was, did you?

A. Not that morning no.

Q. He could have used that morning to case the rooming house and could have know that there was only one or

two rooms available up there as far as you know?

A. As far as I know yes. Of course I could have been casing it that morning myself. But I don't believe I was.

Q. Did you?

A. No. I wasn't in the area.

MR. LEHNER: All right. You went into the rooming house after being with Raoul for about how long did you say?

A. Not too long. Not ten, I don't think the conversation lasted 10 minutes.

Q. You walked into the rooming house, was that up a flight of stairs?

A. Yes, there was a flight of stairs.

Q. And what happened then?

A. I inquired with the lady if she had a room, and she said she had two. She said she had a sleeping room and a housekeeping room. I don't -

Q. Sleeping room and what's the other one?

A. What you call a housekeeping room in that type of place. She, I told her I wanted a sleeping room.

Q. A housekeeping room would be a bigger room with a stove and with kitchen utilities?

A. That's correct.

Q. Where was the housekeeping room?

A. I don't know.

Q. Did you go into the housekeeping room?

A. I don't recollect if she showed me or not. She may have showed it to me.

Q. And do you know where the housekeeping room faced?

A. No.

Q. Did Raoul tell you whether to get a housekeeping room or a non-housekeeping room?

A. No, there was no mention of that.

Q. So you know that at least one other room other than the room you got was available and you don't know whether that room faced Main Street?

A. I don't, did the other room face Main St, the housekeeping room face Main Street?

Q. Well, I'm just asking you at this time do you know where that other room faced?

A. I'm not sure she showed me. I have a vague recollection that she told me she said something about I have two rooms, and she said something about a, she may have shown me the one and mentioned something about, she had a sleeping room. But I took the sleeping room. I don't recall all the details. I know I did tell her I wanted a sleeping room, but I don't know just, the exact time I told her.

Q. How did you get to the sleeping room?

A. How do you get there? Well, my best recollection of the house is there's a lot of winding around going up stairs and down stairs, so, I don't have no clear idea just, I seen this show on here a couple of mornings ago about, Mark Lane was on TV. He had a mock-up about how you get in house and I learned more then than I know now, how you get in there. There's two doors into it one you go up one side and come out the other, but I don't recall. I just don't recall all the details

of the - I don't know if you ever been in the house but it's layed out kind of ood, isn't it? That's, I know up in front the desk, I remember that.

Q. Did you sign a register there?

A. Yes.

Q. And what name did you give?

A. Willard.

Q. How long did you pay for?

A. A week.

Q. How much did you pay?

A. I don't recall, it's eight or nine dollars.

Q. Did you ask if there was a daily rate?

A. No. Usually daily rates, they add up to more than, three or four days will cover a week.

Q. Well, do you know what the daily rate was?

A. I assumed it was two or three dollars.

Q. And because you assumed that you were staying at lease three days you took the weekly rate?

A. Yes.

Q. What made you assume you were staying three or four days?

A. I don't know, I just got that impression I'd be three or four days. He might of made some reference to it. Usually when I, I get the impression or I do intend to stay somewhere for three or four days in a hotel or place like that, usually it is just as cheap to pay a week because, you know, there is always the possibility that you will stay there longer so you must rent the place for a week.

MR. GANNON: Did Raoul say anything specifically to give you the idea of three or four day stay?

A. He did, but I can't recall what it is, it's uh, --

Q. Did you say --

Q. I got the impression that, that transactions were not consummated and that they maybe, I may be there three or four days.

Q. Did you say to him anything like, I don't mind spending the days here if we have to do business, but maybe I can go back and sleep in the New Rebel, I have a place where the car could be, I wouldn't have to do all this walking. I have a place with a lock on the door. I wouldn't be surrounded by winos, was there any conversation like that as to, with him?

A. It never reached that point, but I'm sure there would have been, because if I intended to settle down in there for a long seige or anything I wouldn't, I'd have made some other arrangements. There was no lock on the door, that's why I didn't bring all my clothing up there and things. I just brought the bare minimum, I don't know you just have to go, you know, from day to day in a place like that, but I would never, I would probably sleep on a bed. I had an extra cover on the bed or something.

MR. EVANS: Why did you use the word seige, long seige, what do you mean long seige?

A. Well, if I'm going to stay around there and the police are running around there and there's guns floating around I wouldn't, I wouldn't want to stay at a place like that. I don't mind staying a couple days.

Q. Are you saying you anticipated something happening and you might have been hold, caught up in there or something?

A. Well, I knew the rifles were somewhere around town, somewhere, so I knew there was something going on illegal. So, I just the location of the place, I just wouldn't want--

Q. Did anything -

A. -to get hung up in that type of place.

MR. GANNON: Did anything give you the idea, you used the phrase, police running around, did anything give you the idea that the police would be running around?

A. No. But they do run around in that type of locale.

Q. Then it's, doesn't that kind of conflict with the idea that this was a locale where you wouldn't have much trouble with criminal activity because it was the normal thing?

A. Well see that's, that's a difficult question, now, you, I mean, that's the answer to that would be yes in both ways. I really wouldn't care about - I wouldn't object to staying there a couple of days but I wouldn't want to stay around there long enough where they got, I got on a first name basis with the people and they started asking well, what do you do for a living and all that.

Easy if you go there and stay a couple of days, you tell them that you are doing this or that, and then, you can move on out.

Q. But you had been very successful all through this period from the time you left Jefferson City in avoiding contact with the law, hadn't you?

A. Well, I had been stopped two or three times, yes.

MR. GANNON: But not because you had been doing anything suspicious, and it had never led to anykind of trouble with the police, had it?

A. That's correct, yes.

Q. Well, what, was there any reason that made you think this particular occasion, as opposed to say going over the border from Canada to Detroit, or going over the border from the United States to Mexico, would be any, any different?

A. Well, except there was more, the time spread was, three or four days more. I did, the Canada and Mexico deal was just a straight drive over and that was it. I'm not sure what you are getting at. Is the time, does that account for the time, in other words if I crossed border, you know, there's a half hour and that's it, unless I get --

Q. Well, you know, that is one difference that you being, staying in one place for three or four days as opposed to one brief motor trip, that's true.

A. See there's advantages, I mean, youknow, you say something that, if it belies something else, but there is advantages in being in places like that at certain times, but if you are going to stay somewhere for any length of time I wouldn't want to stay around that place because I know there's a lot of informers around there and after two or three days they are going to start talking, seeing you are dressed a little bit better than they are and the next thing you know the police will be down there, and I just wouldn't want to stay there over a couple of days.

EVANS: When you had your hair cut, how did you have it cut?

A. Just a regular cut.

Q. Regular cut?

A. Shorter than it is now.

Q. Shorter.

MR. LEHNER: Did Raoul say to take the weekly rate?

A. No, that was my, I, I would, do that, that was something that comes natural, but I thought I was going to be over three or four days I would take the weekly rate.

Q. And the reason you thought three or four days was something that Raoul said?

A. He gave me the impression that he was going to make the transaction. It hadn't been made yet. So, I got, he may have said something, it might take a day or so. So, that's a, that's a judgment I made, that I may be there three or four days.

Q. Was it your impression that more than one person was going to come to this rooming house other than you and Raoul?

A. I didn't know if they were going to come there or he was going somewhere else. I got the - I didn't get no strong impression one way or the other. He did mention that he was going, that he wanted to use the car to go that evening sometime. But if he wanted to use the car, I didn't know if he wanted to go somewhere or what.

Q. If you were going to go somewhere else or he was going to go somewhere else, rather, to make the transaction, what's the sense in having the rooming house? Why move out of the New Rebel?

A. Well, I don't know why he would, why he would want another place. See, I'm predicating all this on the gun transaction. I'm not thinking about the -

MR. KERSHAW: Well, what you need to do is subpeona Raoul.

MR. LEHNER: What I'm trying to get at is you're not, you don't seem to be a stupid person. You don't seem to be someone that is afraid to, to bring up a point when it should be brought up. If your impression was that the transaction with guns was gonna take place somewhere outside of this rooming house, did you discuss with Raoul - hey, why do you want me to stay here for three or four days, can't I stay at a more comfortable place like the New Rebel, why do I have to go to a place where there's no locks on the door, where I'm subject to winos, I'm subject to the police being interested in this place because of all the nefarious people here that might be wanted by the police or doing things that the police would be interested in?

A. I'm sure that, if there had been enough time, what short time we was there, I was there two hours maybe, that type of conversation would have come up and I would have started mentioned about the police around there and things like that. But there was just never no, the time spread what short time I spoke to him, and the short time that I was in there we never did get, get into the police and all that stuff. There was just never any opportunity for that.

Q. All right when you went up there and you saw the room, you told the landlady that it would be acceptable?

A. That's correct.

Q. And did you look out the window?

A. No, I don't think I even went in at that time,
I looked in the door.

Q. What did you do next?

A. Well, now this is -- This is the part that I'm not, I'm not
certain of. I either met him out in the street and mentioned
I got the room or I went down in the bar and told him I got
it. But I do, the only thing I am, clear recollection of
is that I did mention to him or someone that I had to go get
the auto and --

Q. Him or someone, who were the other persons?

A. No one just him. And I may have mentioned the
Brewer woman too or something. But I don't think I did, but
anyway, I did leave there and get the Mustang.

Q. So that conversation was either in Jim's Grill or
outside?

A. Yes, I have - I have some recollection of talking
with him in the car, but -

Q. Well, the car wasn't there yet so we didn't get, we
can't get to that yet, right, the car is back, is at the place
where you parked it, right?

A. Yes.

Q. So it either in Jim's grill or outside of Jim's
Grill that you had this conversation, is that right?

A. Yes, that's correct.

Q. Okay. Now, did you go to get the car?

A. Yes.

Q. And did you pay for the car, did you pay when you entered or did you pay when you left, do you recall?

A. I'm pretty sure I paid, I paid when I entered, how much I don't know. I don't know how much I gave him. I think you pay him so much and then if you run over you pay them before you get the keys off of them or something.

Q. And did you drive the car somewhere?

A. Yes, I drove to the rooming house.

Q. Where did you park?

A. In front of the rooming house.

Q. And what happened then?

A. I went back in the room and I think took, I think I took the overnight case in the room. That was it.

Q. Did you see Raoul on the way in?

A. No, I think he was in the room, I'm pretty certain he was in the room when I got up there.

Q. What conversation did you have with Raoul when you left after leaving the room and before you got the car?

A. I think I mentioned I rented the room and I think I said I had something I had to get the auto.

Q. You said what?

A. I had to get, pick up the Mustang.

Q. Did you tell him what room you rented?

A. No, I don't think so.

Q. How did he know which room you were in to meet you in when you came back with the car?

A. Well, unless he knew it was just two up there. He may have knew more about the place than I did. I could have told him which one I rented, but I don't have a clear recollection of that. I think he may have asked the Brewer woman or something. I have no idea how that, how that came about.

Q. He might have spoken with the Landlady?

A. He possibly could have, I don't know.

Q. But he was in your room when you returned?

A. That's right.

Q. With your overnight bag?

A. That's correct

Q. What was in your overnight bag?

A. I can't re - I read about shaving stuff, razor, I didn't bring any clothing or anything like that in there, that was about it.

Q. Did you bring the materials that you would be able to stay the night there?

A. Well a razor, yes.

Q. A change of clothes?

A. I don't recall having a change of clothes, no.

Q. Well, were you prepared to spend the night there at that time?

A. Well, yes, I brought -

Q. Where did you park?

A. I brought a bed spread up there and put it on the bed.

Q. Where did you get this bed spread from?

A. California.

Q. From where?

A. I don't know just a store.

Q. Had you used that previously, that bed spread in any of the places you stayed in?

A. I might have used it a couple of times when I thought it was necessary. I can't -

Q. What would be the circumstances whereby you would think it would be necessary?

A. Well, a flop house or something like that.

Q. What, what other time had you used it before this time at the rooming house?

A. I have recollection of using it one other time, somewhere in Texas, or somewhere. I can't - That would have been on the way from New Orleans from Texas, from Los Angeles to New Orleans the second time. But I can't -

Q. You can't think of any place except you think you might have used it in Texas?

A. Yes. I think I used it there once, but I can't think of any other place.

Q. Where in Texas?

A. Oh, a rundown motel down there somewhere.

Q. Is that the purpose that you bought it, to use if you were in a rundown place?

A. Yes. If it was necessary I may have used it there in the hotel in Los Angeles too.

MR. KERSHAW: Bob, I have here a layout of all this rooming house, Canipes, and Jim's Grill. It might help if Jim could look at it and if it seems accurate to him -

MR. LEHNER: If it's helpful to him, fine.

MR. KERSHAW: You have seen this haven't you?

MR. RAY: Yeh, I saw that. I think this was on TV a couple of days ago.

Q. Yes, and does this - did you go up to the rooming house to the right of Jim's Grill like this is indicated here?

A. Well, I know until a couple of days ago I didn't recall that. I know this here, I thought there was just one front door but apparently there was two of, two entrances.

Q. Well, that's the only entrance to the rooming house indicated there.

A. Well, there's a room, a place there.

Q. Yeh, to the downstairs, that's right. Yeh, and think, you don't remember if you went in this one or that one?

A. No, I don't recall.

Q. Do you remember when you got up there turning to the left, as indicated here, and then to the right going down to the bathroom at the end of the hall?

A. I know there was a lot of circling around, but I can't, the only thing I recall I know that the offices are up towards, toward the front.

Q. Office up toward the front. Now, was the room that you rented in this socalled annex or in the main rooming house?

A. I couldn't tell you. I think it was all one place anyway.

Q. Well, do you remember whether that, how far you had to walk from your room that you rented to the bathroom or you don't even remember if you went to the bathroom or not, do you?

A. No, the only think I remember about the rooming house was that the office is up to the front and there was a lot of hallways and short steps and all that around the place.

Q. I see, step down two steps?

A. Yes.

MR. LEHNER: Did you say you don't recall whether or not ^{ever} ~~ever~~ went to the bathroom in the rooming house?

A. I'm not certain. I may have, but I'm not 100 percent certain if I did or not because I was out a lot and I could have very well have.

Q. Well, let's take it step by step. You came back, you saw Raoul in your room and what happened, about what time was this?

A. After I went and got the car, well, I think it must have been quarter after four by the time I got back with the car.

Q. Where did you park the car?

A. Well, somewhere in front of the rooming house. I'd say to the north of the rooming house and I think there was another car parked there somewhere.

Q. To the north of Jim's Grill?

A. Did I -- I ---

Q. To the north of Jim's Grill, in other words, if you come out of the rooming house and turn right, that's to the north, right, is that correct?

A. Yes.

Q. Well, were you parked to the north of Jim's Grill, or to the front of Jim's Grill, or to the south of Jim's Grill?

A. Well, I don't know about Jim's Grill. Well, I think I parked north of the rooming house.

Q. The rooming house?

A. -the rooming house door, yes, because I know I had to go, angle back when I put the suitcase in.

Q. All right, when you came up stairs were you surprised to see Raoul in your room?

A. Not particularly, no.

Q. What happened when you entered?

A. Conversations?

Q. Yes.

A. Well, that was, I think the first conversation was we may need some kind of scopes, would be in on the deal or something.

Q. Sorry?

A. Scopes would be on the deal, infrared.

Q. Scopes? Telescopes?

A. Telescopes, or binoculars, binoculars, yes. And he asked me to go to the store and purchase one.

Q. Did he give you money for that or did he rely upon the money that you had?

A. No, the same money that I had.

Q. So that was, how long did you spend with him in your room that time?

A. At that time, very short, I just, I think I threw the case under the bed.

MR. GANNON: Did he tell you why the binoculars, or infrared telescopes were in on the deal now in addition to the rifle?

A. Well, I thought - I got, I can't recall all the conversation but I assumed there was some type of a military transaction.

MR. LEHNER: And did he tell you where to go?

A. He give me general directions, yes.

Q. And what were those directions?

A. It would be downstairs to the right, and on the same side of the street that we were on.

Q. How far?

A. I don't know that.

Q. And did you go there?

A. Yes.

Q. And what happened?

A. I couldn't find it the first time.

Q. You came back?

A. Came back.

Q. And what happened when you came back?

A. Well, he was more specific.

Q. What more specific information did he give you?

A. Well, he told me just about where it was at, how far it was and all that.

Q. And then you went out and went there?

A. Yes, that's correct.

MR. GANNON: Before, when you left the first time to get the binoculars, given the kind of place it was did he give you any assurance that he would be there to look after your stuff?

A. Yes. He told me - Just asked me to go out and pick them up and I assumed he was going to be there, he just wanted,

MR. KERSHAW: Was he always in the bedroom when you came back or was he ever in the bathroom?

A. Yes. Well, I assumed if he wanted the binoculars he would be there waiting for me to get them when I came back. So I just threw my suitcase on the bed and threw, I think I threw the bed spread on the thing and sat down on the bed and discussed it, and that was it.

MR. GANNON: When you went up the street looking for this place to buy the binoculars and couldn't find it and came back, were you at all upset, irritated with Raoul. I mean, this was the same thing he had done a couple of days before with the rifle, he, had given you less than specific directions and then you go out and try to do the job, you come back and for one reason or the other, mainly it seems to be, to be Raoul's fault, you don't have what he is looking for?

A. I'm not sure its his fault. I thought - I'd drank about one beer then and I just cant, I can't drink, makes you can't think too well, and I think probably I just didn't follow instructions or something.

Q. So you didn't hold it against Raoul that -

A. No, I didn't --

Q. -you had been on this sort of wild goose chase.

A. No. It wasn't really a wild goose chase. I just couldn't, I wasn't familiar with the area and I just couldn't, I had difficult finding it. I come back and got more specific

insturctions. There was no hard chore about it.

MR. EVANS: Did you have any liquid, liquid refreshments in your gear?

A. I don't ever recall again. But the FBI says I had two cans of beer, but I can't recall buying beer all the time.

Q. Well, I mean is that unreasonable that you would then?

A. Yes.

Q. Is it possible that you did have?

A. It would be very, very unpossible, I just don't, -

Q. Unlikely?

A. Unlikely, yes.

MR. LEHNER: All right. The second time you went for the binoculars you found the place?

A. That's correct.

Q. And did you discover when you found the place the second time that you had inadvertently passed it the first time you were looing for it?

A. I don't know if I did or not. Possibly I could have, but I don't know. I think I may have, I may have -

Q. About what time was it you found the place the second time?

A. Well, it was getting, it was getting, 4:30, 5, quarter to 5 or something like that.

Q. What happened in the store when you found the store.

A. I asked him about the binoculars and he said something, he,

the salesman seemed sort of nervous and he said something about I had to go in a military store and so I just asked him for a pair of the regular ones or something and I think he said something, about, there may have been some reference to these things that slide on any, fit on top of binoculars or something. I just bought a cheap pair of the other ones and that was it.

MR. GANNON: Why did you actually buy the binoculars, because it seems to me you were like on the way to having a repeat of what happened with the gun. He asked for a specific kind of binoculars you couldn't get them, I mean, you could have gone back to the rooming house. He could have said, well since this isn't what I exactly what I wanted go back and take these back. Did that thought ever cross your mind while you were buying the binoculars?

A. Now, that's possible I don't think the - I have some recollection now of hav- of the infrared binoculars. There is some type of a thing that fits on the outside of the regular ones. The store manager said something about an Army surplus store, and that's -

O. Had Raoul said anything like that, well, if you can't get the infrared binoculars get a regular ones because we can put lenses on them?

A. I don't know if he said that or the other guy said that, the sales man. Somebody, I think might have mentioned it but I just don't have no clear recollection on it, the infrared.

Q. Well, when you brought them back what was Raoul's reaction?

A. Well, I just told him that the guy didn't have

them and he said something about going to the military store and he said something about, well wait 'til later. So, I think I laid them down somewhere or give them to him or something.

Q. This was in the room?

A. That was in the room.

Q. And what time was that when you got back from the second trip?

A. That must have been somewhere past, it was past 4:30 or 5, but I don't know just when it was.

MR. LEHNER: Well, I think you told us it was either 4:30 or 4:45, or so, when you got to the store, and so, after you got the binoculars you went right back to --

A. Yes. Well, I think I stopped at a tavern or restaurant maybe during that time too. I know I stopped at a restaurant.

Q. You had the binoculars with you when you stopped at the restaurant?

A. I possibly could of, I know I stopped at the, I was in the Chickasaw Restaurant and I was in Jim's Cafe again. I think I ate a sandwich in there.

Q. You went to Jim's Cafe a second time?

A. I was in there twice, yes.

Q. Well, the time that you had the binoculars did you go to the Chickasaw with the binoculars or did you give, go to Jim's Cafe with the binoculars, or did you go to both places?

A. I don't know if I went any place. I said it's a possibility that I stopped at the Chickasaw and I stopped in and

got a coke and ice cream. It's possible that I stopped in there, but I don't think so, I think I went out later on.

Q. But at any rate you did return either directly or indirectly after you got the binoculars-

A. That's correct.

Q. -to the rooming house and Raoul was still in your room?

A. Yes.

Q. And did you give him the inoculars?

A. Yes.

Q. Was there conversation to the fact that they were not exactly what he wanted?

A. Yes. I mentioned that the salesman said something about an Army Surplus store, and that's where we'd have to get them.

Q. What did he say to that?

A. He said that it was all right and just leave them go or something.

Q. Leave what?

A. He said it was all right and leave them go until later on or something to that effect.

Q. What was the next thing that happened?

A. Well, now, I can't get straight of all the places I went to. I know I was downstairs twice. I went down there and the second time I think I may have drank, got a sandwich or something. I know I went to another place, and got a, I think I got an egg sandwich and I hadn't had anything to eat except I think I had a sandwich early in the day down in, close to Mississippi.

And I went to another - I went to the Chickasaw Restaurant and got ah - I stopped in there once and got a coke and ice cream, but I don't know when I did all these things. But I know I did them, but I'm not certain just, on what trip.

MR. GANNON: Can I ask you, just to go back, what about the gun, did Raoul bring that up to your room?

A. I never saw it in the Main Street place.

LEHNER: You never saw it in Jim's Grill when you spoke with him and you never saw it in your room in Main Street-

A. No.

Q. -rooming house?

A. No, I don't think it was under the bed either because I put some, the overnight case under the bed.

Q. Did you ask him about it when you were in Jim's Grill or in the rooming house, where's the gun that we are going to show to the -

A. No. He mentioned that he was going to see some people that night, later on, so, I assumed it was - but that, maybe one reason to assume that possibly he had a room rented there because he didn't have the material in my room, well, he may have had it in another so --

GANNON: Did he say where the gun was?

A. No.

LEHNER: Did he indicate whether or not he had a car?

A. No.

Q. It was your impression that he was using public transportation?

A. Well, I don't know, there was a lot of cars parked on the street there.

Q. Well, I thought you told us before that it was your impression that to and from the New Rebel it was your impression that he was using public transportation?

A. Yes.

MR. KERSHAW: You signed the register when you went in to the rooming house?

A. Yes, I signed it.

Q. Do you know if he went in to the rooming house and got a room at sometime earlier that morning then, would he have signed the register too?

A. Yes, he probably would have, yes.

MR. LEHNER: So it was your impression that he was transporting this rifle by use of public transportation?

A. Well, I didn't know at the time.

Q. I'm talking about your impression.

A. Well that would be --

Q. Your impression.

A. Well that would be an odd way to transport a rifle.

Q. Yes I agree with that.

A. I don't believe anybody would carry a, carry a, especially if it was pouring down rain.

Q. Especially if he is taking all the trouble to have someone other than him purchase the rifle, he didn't want to be seen with it evidently, he's going to sell it to some people in some kind of a criminal venture and he's paid somebody else to do all the transporting now he's using public trans-

portation from a motel to a rooming house to take a rifle there, did this, does this seem to be odd to you?

A. Well, if I'd thought about it, it might have seemed odd but I wasn't trying to diagnos all these things. Usually when you are on escape, outside of jail, you, as time goes by you get less concerned with all the details and more concerned with getting the money and passports and things. That's something that builds up --

Q. Well, lets forget about -

MR. EVANS: Also getting caught, right?

A. Uh.

Q. And also getting caught?

A. Yes. The longer you are out there -

Q. All right, now, was there ever any discussion as to what what would be the procedure if you were ever caught in this rooming house or at any time that you two were together engaged in any of these activities?

A. Well everybody, everyone for himself I suppose.

Q. Well, I mean did you ever discuss it with him, I mean you, did you ever discuss what your story would be?

A. Well, no, he knew and I knew that this was illegal. I never, I never attempted, except twice, to make any kind of conversation with him based on anything personal, or anything, and I got a non-committal answer, so, I never did press him about any type of story or anything.

MR. KERSHAW: You didn't know whether he had, he may have had a car there of his own?

A. Well, very true, yes, I mean, if it is puring down raining and you are picking up a package I don't think he would be up there flagging down a

bus or cab. As you mentioned, I just don't think you, on something like that you'd probably come up with your own - like I say, everything on your own, but I never had any word with him or anyone else, I never had any details of what I'd say. I knew what I was going to say if I was stopped, but I didn't know what any other party was going to say.

MR. EVANS: What would you have said?

A. If I had?

Q. If you had been caught in that room with the rifle, with Raoul? What would you have said?

A. If I'd been caught with him? Well, I never thought about being caught with him. I was thinking about being caught with, myself through a traffic ticket or something like that.

Q. I mean in this situation, in this situation, what would you have done?

A. What would I have told them? Well, I would have probably tried, tried to jump out the window. I can't --

Q. Which window?

A. I don't really think you can put a story on, you, if the police broke in on you and they caught, well, if there's any wind - any windows around in most of those places -

Q. Was there windows in the room that you were in?

A. I think there was but I don't remember specifically. I usually, if I am renting the place I usually try to get on the ground floor but that was a different situation there.

LEHNER: Was it your impression that possession of that rifle in Memphis was a crime of some kind?

A. Well, it's not so much that, it's the idea of it. I was a fugitive. I have some recollection, now and then, but

I don't know if it's a law now or not, but if a fugitive, if anyone with a criminal record transports a weapon across State lines it is a federal offense and I've always, I don't like to get involved with anything that involves the federal government because -

Q. All right. You told us at that time you weren't thinking that much about the strangeness of Raoul transporting a rifle through public transportation after going through all the effort to disassociate himself from the rifle by having you do all the purchasing and transporting while he does the negotiating in New Orleans. As you think of it now can you think of any reason why he would take the rifle from you at the New Rebel and do the transporting to the rooming house rather than let you do that?

A. I can't think of no specific reason on it unless he wanted to show it to someone that night or early the next morning.

Q. Was it your impression that he was engaged in some kind of a con game with these people that he was going to sell them to, that he was going to say that he could get a hold of these rifles at a reduced price or that no one else could get them since these were, this was a rifle that you or any one else could go into a sporting goods shop and purchase as you did?

A. I don't know what the, what the practice is -- I don't know if anyone can go into a place and buy 8 or 9, 80 or 90 rifles or not. I imagine that they might call the police on you to try and find something out about you.

MR. GANNON: Did you check on that at Aero Marine? Did

you ask if these rifles that you examined, the military surplus rifles were available in large quantities and whether they could be purchased in large quantities.

A. No, I just asked him the price and things like that. I think I had it in my mind then that if I was required to purchase them I was going to try and purchase 8 or 10 there and go some other place in Birmingham and purchase 8 or 10 more whatever it was. But I can't see myself going into a place and purchasing 50 rifles.

MR. KERSHAW: Jim let me ask you this, assuming that Raoul shot Dr. King and you gave him the rifle the night before at the New Rebel Motel he's got all night and all of the next morning within which to sight in the rifle, that, that could be, I know it's got to be speculation but this could be a reason for his having the rifle overnight and during the morning, if he did, right?

A. Well, I think the - the owner sighted it in.

Q. The who?

A. The owner.

Q. What owner?

A. Well the individual I purchased it off of.

Q. Well, you mean, the store manager? A. Yes.

Q. He put the telescopic sight on, but he didn't sight -- Do you know what sighting in is?

A. I think they sight it in when they put them on.

Q. Do you think that that is what that is?

A. I assumed that is -

Q. And, so, you think that Raoul would, even though he got the gun from you the night before that he wouldn't experiment with the telescopic sight or test fire it or anything like that?

A. Well, see I know only what I've read and the first rifle had a defect in the barrel or something.

Q. Yes.

A. And the second one I assumed it was all right, so - I imagine that anybody --

Q. I take it that you had never shot a rifle with a telescopic sight on it?

A. No.

Q. So, you don't know what sighting it in means do your?

A. I don't know the techniques of it. I know there's a certain -

Q. You don't know that - you just don't know the technique involved in sighting it in?

A. That's correct.

Q. Okay.

MR. EVANS: You say the first rifle was defective?

A. I read that in the paper, I don't know -

Q. Do you know that to be a fact?

A. No, I don't know it to be a fact.

Q. Did you ever hear Raoul say to you that the first rifle was defective?

A. No. I think his story was, it was the wrong, wrong type.

Q. When you took the gun back to Aero Marine, the

first gun did you notice what the proprietor of the store did with the weapon? Did he put it back on display after you told him, or what did you do?

A. I don't know what he did with it. I, I really, I really don't recall what he did.

Q. Did he examine the weapon to see if you had fired it or anything?

A. He may have but I don't know - but I didn't notice.

Q. In your gear if you can remember did you have a pair of pliers or a screw driver or anything?

A. I mostlikely did.

Q. What was the purpose?

A. I think that was for a locksmith course.

LEHNER: Was there any discussionwith Raoul as to how you were going to obtain a large quantity of rifles to sell?

A. No, I think he said something about me going back and getting some certain, he said I may go back and get 50 or 60 of them plus some more of the more expensive ones.

Q. What I was trying to get at a few moments ago, did you think that Raoul was playing some kind of a con game with the people he was going to sell it to, because what he was planning to do was to go into a store and send a person like you into the store. If you can go in, anyone can, especially a person that has a criminal record and is a fugitive like yourself. If you can certainly purchase it anyone can purchase it.

A. Yes.

Q. His plan was to get rifles through you?

Q. Through legitimate stores, and yet he was selling them - was going to sell them to these people from Latin America, was this some kind of a con game, was he going to raise a price substantially so as to make a profit where he's paying the regular price, he's going to charge them a much larger price and gain it through retail purchases by you? Was that your impression?

A. Well, he was talking about me taking them down there, if I, excuse me, if I purchased the rifles and took them across the border into Mexico at that time I didn't have any idea what the, what the value was, the resale value was, but I read in the paper just the last few days that they were worth 7 or 800 dollars a piece, these military rifles, to these Mexican dissident groups who purchased them. But I never had any impressions that anything was a con game. Everything I ever did with him was serious and everything I did was serious, I never -

Q. Well what I am getting at, is that the value of you and Raoul had to the Latins is that you would be able to get it across the border, or is the value that you and Raoul had to the Latins is that you would be able to purchase the guns or in somehow acquire them?

A. I think it was both. I think probably the main thing was getting them across the border. I think, it's easy for a person with a North American citizenship, especially if he is a non-Mexican, to take material across the border. I found that out the first time I was down there. All you got to do is give them a dollar a piece and you can haul -

Q. Your value was in transporting them over the border?

A. Yes. My appearance, I mean that was my value.

Q. So if you could do that, certainly you could meet the Latins near the border, purchase them there and take them across the border? Why is this that you have to purchase them in Alabama, Raoul has you meet with them in Louisiana, you meet with - you then show them the rifles in Tennessee, merely to transport them across a border to Mexico? How does that make any type of sense?

A. Well, it might make some sense to anyone, but of course now on hindsight I don't think that was really the, he may have been involved in something like that at one time or another, but I don't - obviously, now you can see that wasn't the, that was a cover story. I think the real operation was to shoot King in Memphis rather than to -

Q. I'm going into your, the operation of your mind. You are not an unintelligent person, you are a person who thinks, your a person who is thinking of many things, you are, you are a fugitive, you are thinking of survival, you are thinking of how to get money from Raoul to get out of the country, you are thinking of yourself. Now, if Raoul is telling you something about selling rifles in large quantities to transport across the Mexican border, you as a fugitive want to know what the risks are in order to evaluate whether you want to get involved in this, is that true?

A. Yes, that's correct.

Q. You had, you had a risk in taking some narcotics off the Cana --, over across the Canadian border, you had a risk of taking some materials which

which you think possibly was jewelry across the Mexican border, and now if you are going to be transporting weapons from Alabama to Tennessee all the way down to Mexico, you want to know what's in it for you, right, and you want to know why we are taking such extraordinary risks, is that true?

A. Yes, well, that really wasn't too much risk as I saw it the time. There was a certain amount of risk but there wasn't, the risk wasn't comparable to say holding up a supermarket, or something like that.

MR. GANNON: Once you get into the volume, say well maybe transporting one rifle is not so much, but once you got into the volume you know transporting a volume of weapons, say buying 8 or 10 even say at one, two, three, four different gun stores, but then you are moving in the neighborhood of 50, 60, maybe a 100 rifles; that's first of all is a lot, it's a bulky load, the Mustang wouldn't have been able to handle it, you would have probably had to get a truck of some kind and then anything, you know, the guns are just not, you know, guns in quantity are not that easily concealed. It seems to me it's a much more serious risk there than in say the Windsor to Detroit operations or the Laredo -- Nuevo Laredo operation.

A. Well, of course, there's a lot more money mentioned. I think there's \$13,000 mentioned, but I didn't, I wasn't - I wasn't given any details about how the guns were suppose to be transported across to Mexico. Maybe they had some other type of - maybe they were going to take them across in ships, I don't know.

Q. Wouldn't that be the next question that would naturally arise for you, because I mean you were putting yourself in jeopardy again, you'd have to have some assurance that it was a sound operation?

A. Yes, it would have arisen after I got, if I got that far, of course, there would be other questions arose too before I crossed the border again about the money, and the finance, and things like that.

MR. LEHNER: Well, you are a guy that, you weren't someone who was beholding to Raoul, he wasn't a long time friend of your's, you were thinking of James Earl Ray. If the deal was to get things across the border, wouldn't you talk to Raoul about how to do it with the less exposure to yourself; and if the main thing that you were going to be used for was that you - someone who looks a little more reputable, may be, than the people who are involved that you are selling it to, and you have an easier time crossing the Mexican border than say Latins, wouldn't it be logical for you to talk to Raoul about minimizing the risk, about buying the materials somewhere near the border so that you are not carrying it in a truck? If you got 60 or so, if you are not putting all this stuff in the trunk of a car or loading up the back seat of the car, you can't get 50 or 60 rifles into a trunk of a car?

A. If it, if it would have came down to that, of course I can see now where it probably --- there was never any intention of going through with it. But if it would have came down that far yes I would have asked questions.

Q. There was no intentions of him in going through with it, I'm talking about what you are discussing in your mind.

A. Yes, I know, yes well, if I was, if I were -- If it reached that point, I would want to know some of the details naturally. But I don't know, there was never any specific, no one ever told me that I was going to haul the rifles across in the Mustang.

Q. You were told that you might have to go back to Birmingham from Memphis to get --

A. Purchase them, yes.

Q. --to get the surplus rifles? Well, didn't you say to him, gee, why are you doing all this here, I have taken this long trip from Birmingham to here, it took four days, why didn't you tell me when I was in Birmingham to pick them up. You told me to look at them they looked all right, why didn't you buy them, was there a conversation like this between you and Raoul?

A. There would have been if, if, if, if it came that far, but during this two hour period that I talked to him, I talked to him about 10 minutes, and I was running errands and going here and there, at that time. There was no time, but if I would have gotten to Mexico with the rifles or something like that I wouldn't you know say load up my car and then head me across the border. I would have made some suggestions myself, before I went across.

MR. KERSHAW: Yes, but you had gotten on down the line with it. It seems to me perfectly obvious that the very place not to buy military hardware would be in a well known port of entry like New Orleans, or Huston, or Dallas, or Galveston, just a smart thing to do would be to buy them in Birmingham or in some interior place and then negotiate about them at

some interior village like Memphis.

A. I don't know how they work these various things but of course I was concerned about the money.

GANNON: What was your estimate of Raoul's intelligence?

A. Well, I think he was a criminal type, I can't -

Q. Did you feel that he was smarter than you were?

A. Some people are smarter in certain ways if they have been doing something all their life they get sort of adapted to doing certain things.

Q. Did you feel he was smarter than you, you were in evading the law?

A. Well, I thought he was a professional and I was a semi-professional, that's the way I would describe him.

Q. So that you thought that he was, was making an adequate calculations of the risk involved for you as well as for himself?

A. Well to a certain extent, yes, because course if I were to have gotten caught it might have, why, it may not have been disastrous to him, it may have been a loss of certain merchandise.

Q. But in effect then you were sort of entrusting Raoul with your freedom?

A. Well there is always the possibility of that when you are dealing with the criminal types because you have, you have, I'm always more concerned with informers than I am with somebody, trusting somebody else with what you call freedom. See, I can make certain, certain judgments if I'm working with someone, why I can protect myself, but if, an informer you can't protect yourself from that type.

Q. I guess that's what we have been talking about, the judgments in this situation about, you know, where you could protect yourself. That, I'm not saying - I'm not suggesting that Raoul was an informer, that he was going to turn you over to the police or anything, but he could just make a mistake, a mistake that if you had been in charge, or had some say in the affair then you would not have made, and yet that mistake that Raoul made would get you in trouble, get you back, bring you back to Missouri, that's the thing I had in mind. that --

A. Well, I don't think I was working with him whereby I was more, some type of lawbo---robot, or anything like that. I can make certain judgments myself. I wouldn't want to get involved with anyone where I had to do everything he told me right to the T, I like, certain small things where maybe I didn't have no experence in them but at the same time I may possibly know more about it than he does.

Q. But this has been sort of the situation, you know, it, was sort of the situation with your relationship with Raoul that you were doing thing to the T. more or less and in some times - in some incidents at least doing a lot of of unnecessary things because of his own, just the vagueness of the directions he was giving you?

A. Well, that's correct but of course he was paying me and there was no there wasn't a lot of work to it and there was a possibility of, there was at least, over all I think there were less chances of that, of being arrested, than if I was committing holdups, and there was a possibility that he had mentioned passports. I think

if he hadn't mentioned passports I probably wouldn't have gotten involved in any of that type of business in the first place.

But -

Q. But here it was April of 1968, he'd first mentioned passports in July or August of 1967, it was, what's that four-eight months later he still hadn't come through with the passports were you beginning to wonder about where he could ever deliver on the passports?

A. Yes, I was, of course, it was wishful thinking, but I had gave up on the passports, I was concerned with money at that time.

MR. LEHNER: When did you give up on the passports?

A. After Mexico.

Q. Okay. So we're to the time that you returned the binoculars to him, what happened thereafter?

A. After he took them? I'm not clear on that, I know all the places I was at, I am clear from about 5:20 on, but prior to 5:20 I know all the places I was in and out, but I don't know just the sequences.

Q. As best you can recollect, from the time that you gave him the, the, binoculars until, as you say, you are clear at 5:20, what happened?

A. Well at 5:20 I think that's when he suggested that he was going to use the Mustang that evening and -

Q. About what time did you return with the binoculars and give them to him?

A. I don't know, it must have been 4:30.

Q. Now, from 4:30 to 5:20 what do you think happened during that time?

A. Well, it could have been 15 minutes, it could have been quarter to 5 when I gave them to him, during that period I most likely, I think I was either under Jim's Grill or at the bar at one time. Cause I know I went in there a second time and they changed waitresses, a white waitress to a black waitress, I was in, only in there 15 or 20 minutes.

Q. They changed from the white waitress to the black waitress?

A. In Jim's Grill, yes. From the first time we met. So, I can't, I don't know just what place I was in first and what, which ones I was in second.

Q. 5:20 where were you?

A. That's probably when I was at the, I was in the room at

Q. And what happened then?

A. That's when we had the discussion about, he, he was going to use the Mustang that night and I could go somewhere and kill some time, or somewhere, a movie or something, and I think about that time, I think I - I know I sat in the car one time about 10 minutes thinking what I was going to do, and I know I went to, I think it was the same grill I checked in when I came, when I was trying to find the place.

Q. You're sure, that's what you think is called Jim's Cafe?

A. That might be it. It sits right on the corner. I know one place sits right on the corner I was in twice.

Q. On Main Street.

A. Yes.

And I think, I think the second --

Q. Where is it in relation to the binocular's store?

A. Well, it is across the street but I don't know what relation. I don't know where the binocular store is at.

Q. The binocular store is on the same side of Main Street as Jim's Grill and the rooming house?

A. Yes.

Q. And Jim's Bar - Jim's Cafe is on the other side of Main Street?

A. That's correct.

There was a second time I was in Jim's Grill underneath, now I may have been in there three times, I don't know, but that's where I seen these two individuals that I was kind of suspicious of. I thought they were looking for me or something.

Q. Had you ever seen them before?

A. No, I never seen them before.

Q. Have you seen them since.

A. Well I seen the picture that looks something like him, but I don't recall the picture.

Q. Which picture was that?

A. Someone named Youngblood or something

Q. Where did you see that picture?

A. I think Wayne Chastain had it. He showed me a bunch of pictures.

Q. That might have been one of the two people that was looking at you strangely in Jim's Grill?

A. Yes, underneath.

Q. Okay.

A. At that time I went to the - now this -

Q. The picture that was shown of Youngblood was that the person that was in Jim's Grill or was that someone that looked like the person in Jim's Grill?

A. Looked like the person.

Q. In other words you could say it was not the person but it bore similar resemblance to him?

A. Yes. At that time I suppose if I went in there I must of arrived at this other taven about 5:30 or maybe a little after. I was in there I think I ordered another beer in there and at that time I decided to, sometime at that time I decided to service the automobile. And -

Q. This was, this was, you were in Jim's Grill at that time?

A. Yes I didn't decide to service the automobile then, that's when I went down the street. I was going towards the movie.

Q. All right.

A. I went in a tavern right across from the movie I think it was.

Q. That's where you had this last beer?

A. Yes.

Q. And you decided to service the automobile?

A. That's correct.

Q. And what did you do then?

A. I went back and I was hemmed in because, I, hemmed in from the front, I think it was, and I think I pulled out and drove around the service station and --

Q. What time did you get to the service station?

A. I have no idea.

Q. Was it before or after five?

A. It was suppose to be, it must have been close to six, it was after 5:30, and I think I went in to two service stations then. I don't know if I - I don't even recall if I got the tire, I know I didn't get it fixed. I don't know if they put any air in or not.

MR. KERSHAW: Did you ever go back to the rooming house after 5:30 James?

A. Yes, I went back towards it and I got -

Q. But that's when you got waived off?

A. I don't recall getting waived off, I recall seeing the police and the squad car parked in front of me.

LEHNER: You are talking about after you went to the two service station?

A. Yes.

Q. Now -

MR. KERSHAW: But you just went back towards the rooming house after 5:30, you never successfully made it back to it, is that right?

A. Yes.

MR. LEHNER: Now each of the times that you saw Raoul from the time that you first saw him in your room until you last saw him in your room - Let me, let me withdraw that.

Each of the times that you saw Raoul from the time you first saw him in your room until the last time you ever saw him all those times were in your room, is that true?

A. What's correct.

Q. So, that, that was the first time you came back to your room when you had the bag, your little bag, and each time you came back thereafter you saw Raoul in your room and that finally you left and went to get a drink and gp service the car, is that true?

A. Everything is true except I have a recollection of seeing him in the car one time, just for a couple of minutes. We had a short discussion in the car -

Q. When was that?

A. - I don't know when it was, I just can't get that together.

Q. When could of that been?

A. I don't, I couldn't, I can't get that together.

Q. Well, you told us that each time you saw him was in the room?

A. Yes.

Q. And you also told us that the first time you saw him in the room the car wasn't even in front of the place, it was in the parking lot.

A. That's what I say, that's what, that's what has got me confused about the various things. Cause if the car wasn't there, then I couldn't have been in the car with him, but it must have been sometime after the car was there. Now this may have been something that I gave Huie years ago and then we, then I changed it or something. Let me get, mention these papers I gave to Huie. A lot of them I altered after I re-think things because he was wanting them real quick and I wrote the

first ones out real quick and then I wrote first of all I'd send him a sheet of paper out saying no that's not quite right and he'd go ahead and make some alterations on it.

MR. KERSHAW: Do you remember about what time it was that you saw the man you, that could be Youngblood in that, in Jim's Grill or the Jim's Grill, Jim's Restaurant?

A. It was probably the last time I was in there. Because, I was concerned because he was looking at me twice. He looked at me the first place and the second place I saw him.

Q. Correct me if I am wrong, but I thought, I thought what you had said is that it was a person who was not Youngblood but who looks like Youngblood?

A. That's what I said, yes.

MR. LEHNER: Let's take a little break with our stenographer, and it's 3:00 and we will come back in a couple of minutes.

MR. LEHNER: It is now five minutes after three p.m. the same day, and the same people are here, and we're --

Let me ask you, have you thought over the recess or can you think of now when if any time you were in a, in the car with Raoul in front of Main Street or on Main Street?

A. I have a, I have a recollection of being in front of the car but I can't, I can't put it down. It may be false, it may be, I know I was in the car once, maybe I was in there by myself, maybe those papers if you get them from Sommers, I made some reference in there to them. I think I didn't make reference to the individual, I just said I thought he was watching me.

Q. Now, you say you corrected these papers from time to time, and when you thought of things that were not quite accurate you made corrections and sent it to Huie?

A. Yes, at the beginning he was in a hurry for the papers, you know, he'd, have to have, in otherwords if you get material you can't publish it the next day it takes quite a while to publish it, and I'd had some trouble with contracts. I didn't want to sign them consequently it was up - I was extradicted July 19, it was up until August before these, we ever decided to give him papers.

MR. KERSHAW: Bob, if you haven't got any - if I may ask one question on this?

MR. LEHNER: Please go ahead.

MR. KERSHAW: I just want to clear up this Youngblood business. You saw a man in Jim's Grill that looked like Youngblood, is it true that you could, you couldn't say positively whether it was or was not?

A. Oh, yes, I couldn't make no identification.

Q. It could of been Youngblood?

A. It could not, I guess.

Q. Or, but you just can't say positively whether it was or was not?

A. No, he just had some pictures there and we was discussing these people I saw and I said this looks like him, and I didn't even know his name at the time. He had an alias. I don't think, I think his alias was Armstrong or something.

Q. Who is this that we had the pictures?

A. Wayne Chastain.

Q. Wayne Chastain, and Young-, you have learned who Youngblood is suppose to be since the murder of King?

A. Chastain said his name was Armstrong and that was an alias and then later on he learned his name was Youngblood.

Q. Do you know who Youngblood is supposed to been, and what he's suppose to have done?

A. No, I don't know. I know he's some crook or something.

Q. Do you know whether or not he's a professional hitman or has been charged as such?

A. Well, I read these stories, but I don't know anything. I have gotten the stories -

Q. Just what you've read?

A. Six or eight months ago, I guess.

Q. Well, do you know who he is?

MR. LEHNER: Well, rather than make any statements, I just thought I'd like to ask some questions to see if I could clarify this point that I've asked Mr. Ray.

I thought on two different occasions you told me that when you looked at the photograph you realized that the person in the photograph, Youngblood looked like one of these two guys that you saw in Jim's Grill, but that Youngblood was not one of those two guys. I thought that's what you told me on two, two occasions?

A. Did I say he was definitely not? It's difficult to, to always determine people by photographs. This individual

I was talking about I saw in Memphis in these two bars. I just, I don't have no clear recollection of him at all except he's dark and somewhat swarthy and he had someone with him, behind him twice, some guy drinking, and the other guy was dressed in a, I think a Navy pea-coat, a sailor type - I probably went into more details with Huie on what he looked like, but I, I can't recall.

Q. All right.

Let's pass on to the time you say you went to two gas stations. You didn't get the tire fixed, was the tire on the car or was it in the trunk?

A. It was in the trunk I'm almost certain.

Q. You're not quite certain?

A. I'm certain, yes, I am certain because I changed tires. If I hadn't of, it would have been flat.

Q. Did you change it yourself or did you take it to a service station?

A. Yes, I did. I changed it.

Q. And you checked the trunk of the car when you did that I take it to get the tire out?

A. Yes, I think, I think I changed it the day, the day, the day before. I think I changed it right outside of town. It got low or something, I could feel it, I changed it myself.

MR. GANNON: By the roadside?

A. Yes.

MR. LEHNER: Now after you changed the tire at the - I'm sorry, after you went to these two service stations you

did not do anything in relation to the tire. What did you do next?

A. Well, I pulled out and drove I guess four or five blocks. Well, I turned to the right and went four or five blocks. In other words in the opposite direction of what I had been going, and then I made another turn to the right and I think I made another turn to the right, and the best recollection there is, I saw a police car parked in front of the street. I believe he was quite a ways away, maybe a block and there seemed to be a little activity in that area -- a few people running around, so I went the other direction, which would have been south and -

Q. Where were these two gas stations in relationship to the rooming house?

A. Well, I think if, if you left the rooming house and come out and turned right, say you was driving the car or walking, you would go about three or four blocks down north and then turn right, and go 4 or 5 blocks more somewhere along in that area.

Q. So it'd be, maybe just a couple of blocks from where you, you had parked the car?

A. No, I'd say more than that, maybe eight or ten blocks.

Q. But in that direction? In other words would it be, if you drew a line from the rooming house to where you parked the car, would these gas stations be in that line?

A. If you drew a line from the rooming house to where you parked the car?

Q. In other words I thought what you said, where you parked the car you went down about five or six blocks?

A. Yes.

Q. And then about five blocks to the right, and then two blocks to the left, and so the service stations are about three blocks to the right and about four blocks to the, to the right again?

A. Yes. I would say when you come out of the rooming house, let's say you are walking, you turn right and go down about four blocks and turn right again and go down may be five or six.

Q. That's where the gas station was?

A. Yes, that would be, yes.

Q. And where would, and where would the place where you parked the car be? Do the same thing, if you would, coming out of the rooming house.

A. Well, you'd have to come back - you'd have to come five or six blocks back up towards Main Street and then turn left and go -

Q. I'm saying, come out of the rooming house now, and take us to where the parking lot is?

A. The parking lot?

Q. Yes.

A. Well the parking lot I think you'd go about, maybe a couple of blocks farther. I think you'd go six or seven blocks down, then you go -

Q. Go north on Main Street?

A. Yes, going north, and then turn right and go, maybe seven blocks and then turn left and go about two blocks.

Q. Well, what I'm saying is, if you set an aerial view, you are looking up - down from an airplane, would the gas stations be between, on a line between the rooming house and where you parked the car, roughly?

A. I never have thought about it that way, but roughly, I think, in otherwords if you went straight from the rooming house as the crow flies, as they say, would you hit the filling stations and then hit the parking lot. I never did think about it that way. I don't think you would be too far off if you did that.

Q. All right. You told us about seeing the police officer, making the turn and going south out of town, is that correct?

A. Yes. I made a turn and went south out of town.

Q. All right. Tell us what happened there.

A. After I made the south? Well, this, I drove, this was in the, what you call the black community. After I went a couple of blocks south. I kind of drove, slowed down through there and I don't know how far I drove, quite a ways, and the streets down there didn't seem to be too parallel or something and I got - I kept driving south, but I think I veered off to the left and I finally hit Main Street then I kept on going south and then I got on the outskirts and I think I went about, I don't know how long 15 or 20 minutes, and I heard on the radio that the - Martin Luther King had been shot. And then 15 or 20 minutes later I heard they was looking for the Mustang and at that time after I heard the - they were looking for the Mustang the first road I came across that was going left I made a left turn.

There's a map, it might be a good idea to - is that Memphis?

MR. EVANS: Yes.

A. I think I would probably have been on one of those roads there. It would have probably been this one I guess.

MR. EVANS: Is that 55?

A. Yes. I came through this area here somewhere. I moved off to the left. Now, if I, if I'd moved off the left on this one I'd have been wayover here, but I don't think I was - I just came straight on down throught here. I probably hit this road right here and went over here and down here.

MR. LEHNER: And you went to what city, the first city that you passed?

A. Birmingham, first big one. I think I went through a couple of small ones.

MR. EVANS: What was the first city in Mem-, Mississippi that you went through?

A. I don't recall going through any.

Q. What are the first road signs that you saw when you got into Mississippi?

A. I just got - the first one to the left after I heard the Mustang, I turned on the first -

Q. In other words you were still in Tennessee when you heard about the Mustang?

A. I don't believe I was. I believe I was in Mississippi when I heard that. I have some recollections that I had to drive quite a ways before I found a highway going towards Birmingham.

Q. And continue what happened next as you were driving east?

A. I think I may have stopped between, before I got to Birmingham and threw everything out of the trunk of the car and threw it off in a ditch and made some attempt to clean the back end of the car out and wipe it off with a rag?

Q. You emptied out the entire trunk of the car except for the spare tire that had the leak and the jack?

A. Yes. I don't think I threw any of the tools away. I think I threw just the clothing and the equipment away.

Q. The equipment being the camera equipment?

A. Yes. Things like that. I know I threw all that away. But, it was dark and was starting to rain so I could have missed, very well have missed some small items.

Q. What about your own clothes?

A. Well, they, they were, most of them were back in Atlanta.

Q. Continue, what happened next?

A. Well, I went through Birmingham, it was the first large town I went through. I believe I got off on the wrong highway on the way to Atlanta, and I went right straight on through. Right before, before I got to Atlanta I stopped and got some gasoline. I was getting short of gasoline right outside of Atlanta. It was daylight then and I arrived in Atlanta about, well, it was daylight, eight or nine o'clock. I went to this parking lot, I parked the car there and -

Q. How did you decide to park it at that particular location?

A. Well, I was going to park in the first private parking lot I came across. I didn't want to park it on the street because the police could have picked it up there.

Q. Is a private parking lot, meaning a place where you paid to park?

A. No, you don't pay, you just - I was just looking for a convenient place to park where the police wouldn't pick it up after I parked it --

Q. Wouldn't this be a place where the owners of the place could realize that this is a car that doesn't belong there and report it to the police?

A. Well, it - the place just give me the appearance that it would be better to park it there than park it on the street.

Q. Why?

A. Well, I think if you parked on the street I think they have these patrols coming by every so often. I don't think it would stay there very long. Of course, it could but -

Q. You mean because they would be looking out for a white Mustang because of the shooting or for, for some other reason?

A. Well just for general reasons. I think they make a practice, if they see - I think police are assigned a certain area. I think they make a practice of pulling in cars if they stay there over an abnormal lenght of time. And they make inquiries of who it belongs to.

There was no big deal on that, I could have very well, if I found a good side street, I may have parked it there; but anyway I took a cab, I believe, after I parked the car and went to the rooming house and made efforts to clean up.

Q. What did you do at the rooming house?

A. Well I threw some stuff away, some articles and I put everything in the case that I wanted to take with me that was carriable, and I wiped it off and tried to get the finger prints off of it. And I think I mentioned that I left two periodicals there, the Free Press and the Birch-Birch-- Birch Society, and I checked on when the next bus was going out and I took the case up and put it in the bus locker, and I went, got away from the house and that was it -- Caught the buss out at 2:00.

Q. Did you pick up any laundry?

A. Yes.

Q. When did you pick up the laundry?

A. As soon as I got back.

Q. When had you put that laundry in?

A. March the 27th I guess.

Q. Are you sure you didn't put it in on the first of April?

A. I'm a hundred percent sure.

Q. What kind of laundry was that?

A. I don't recall. It wasn't too much - I think it was just -

EVANS: Did they issue tickets?

A. Yes, I think they did.

LEHNER: And what type of laundry was it?

A. I think it was a combination laundry and dry cleaning.

Q. A suit, or more tha- one suit?

A. I think they had four, five, or six items, but I don't know just what they were.

Q. Shirts?

A. I think so.

Q. Underwear?

A. No. I think they were just shirts, pants and possibly a coat or something.

Q. Whats the name of this place?

A. I can't recall.

Q. Had you circled that place on the map?

A. No.

Q. Where did you go thereafter?

A. I took - I know I got a cab and took, took the case to the bus station, checked it in, I think I checked it in the locker and then I stalled around somewhere. I think a tavern or somewhere until the bus left, and it was, the bus left about an hour later and I got on it and went to Cincinnati.

Q. What did you do there?

A. I think I arrived in Cincinnati about 2:00 that night and there was a layover there for about a half hour, and I went to a tavern and stayed there until it closed, and then I went back to the bus station and stayed around there until about a half hour, until the, the other bus went on to Detroit.

Q. You took the bus to Detroit?

A. That's correct.

Q. What happened then?

A. I, see when I arrived in Detroit, I, I think I checked the case into the bus station or the train station, one. The station I was at, was outside of town. I know there was a park in the middle of the street, and I got, went to the barber shop, and I had, I got shaved at the barber shop, and, let's see -- Well, I can't recall what time I, I crossed the border into Windsor that day sometime, but I can't recall what time it was.

Q. How much money did you have on your person at that time?

A. Not very much, 1400, \$1500. Maybe 1600.

Q. Continue, what happened next?

A. I got a -- I got a train to Toronto and I think I arrived in Toronto the night of April the 6th. I'm positive I did and I believe I checked the case in at the Toronto bus station, the train station and found a room. I found a room in Montreal, a couple of miles from the train station. I think that was Ottlinger Avenue.

Q. Under what, under what name did you rent that room?

A. I don't think she asked me my name. I think I told her a few days later, a day or so later.

MR. EVANS: What name did you plan to use?

A. I was looking for a name, another name at that time.

Q. Well what name did you plan to use if she had asked you?

A. Well I don't know, she couldn't speak very good english. She could hardly speak english.

Q. Did you know that before you went in?

A. No I didn't.

Q. Well if she had asked you what name had you planned to use?

A. I don't recall, but I'd give her a name it wouldn't have been the Galt name. I don't - I would have probably had something in mind before I went in there.

Q. But you don't recall now what that was, you don't recall now what that might have been?

A. No I don't recall what the, what the alias would have been, but I don't think she asked me, and the next day I got the Bridgeman name, I think it was.

MR. LEHNER: How did you go about that?

A. I went through the newspaper office and I asked the lady there, the receptionist or something. I told her I wanted to look at the back births of the year 1932 I believe it was and she brought some file out and put them on a machine, and she showed me how to work it and I started going through the films.

Q. What year were you born?

A. 29-28.

Q. Why did you pick that year, 1932?

A. Well, I thought that, I thought I looked closer to that age than the other age.

Q. You thought you looked young for your age?

A. Yes. Well I had - that was one reason - yes, and I suppose there may have been other reasons.

Q. What were the other reasons.

A. Well, I can't recall any specific ones right now, but there is certain advantages of being a certain age, so, ah - do you want to go on from there?

Q. Please.

A. Well, I think I got the Bridgeman name pretty shortly after I arrived. I think I used that name in renting the room off her. Then later on I got a Sneyd name. I may have got it the same day. What I, what I did, I think I got four or five names and started making these phone calls and culling them out. I finally determined - decided on the Bridgeman and Sneyd, Raymond George Sneyd, and then I called Bridgeman and Snyed and I found out that Sneyd never had a passport so I decided to, he was a policeman and I decided to get the passport under his name, and then --

MR. GANNON: Did you know he was a policeman at the time you applied for the passport in his name?

A. Well, no, there was no information on the, on the newspaper, it just give his birth, that's all.

Q. When did you find out he was a policeman?

A. I think after I got arrested in England sometime.

Q. Do you remember any of the other, whatever it was three or four names that you had picked out of the newspapers?

A. No, I don't recall except the Bridgeman and Sneyd. Bridgeman, I think I called him and I think he said he had a passport and I didn't want - I didn't want a passport from someone that had it because they keep pictures on file, so I decided to use the Bridgeman. I'd had some, the last time I had been up there I had some false information about the guarantor and I decided to use the Bridgeman name for the guarantor and I'd adopt some type of a double identity or something and use the Sneyd name for the passport. Of course later on I found out the guarantor wasn't necessary so I got the name under Sneyd. But in the meantime I'd rented a room and I didn't want the people there to think I was laying around and get suspicious and not working. So, I rented another room off a Chinese lady under the Sneyd name and that was about two blocks from there.

Q. What street was that on?

A. Well, it was on Ottinger. I don't know what the other one was on.

MR. GANNON: What part of Toronto were those, what neighborhood, section of Toronto were those, were they close together?

A. About three blocks.

Q. Three blocks.

MR. LEHNER: Why did you choose Toronto?

A. It was no particular reason. I had never been around Toronto very, too much. I had been mostly in Montreal, I think, and Toronto is an English speaking province or it's a city, it's an Ontario province, while Montreal is a French-plus it's a lot farther.

Q. Do you now recall how you got the Galt name?

A. No, now I don't recall how I got the Galt name?

Q. Did you get it out of the phone book?

A. I, I can't recall that.

Q. You told us earlier in these interviews that you got the name out of a Chicago phone directory, do you have recollection about that?

A. No. I said that's a possibility. I don't know, I, the only reason, only, the only time I ever remember looking in a phone book for the Galt name was in Birmingham and I didn't want to have someone's name just like mine. It was one Galt in the Birmingham phone directory, but -

Q. Was it Eric Galt?

A. I don't believe it was, I probably -

Q. Did you check the Toronto and environs phone book to see if there was an Eric Galt?

A. No, I didn't check on that.

Q. You don't know if there is one or not?

A. I seen in the book, I don't know, there might be a, there's an Eric St. something Galt but I don't know, I have no knowledge of it.

Q. You didn't know about it until after you were arrested?

A. No, I had no knowledge of it.

Q. All right, continue, if you would, you said you put- you had one apartment under the name of Bridgeman and one under the name of Sneyd.

A. Well, I went to inquiring about a passport and this

time instead of calling I went directly to a travel agency. I asked the lady about the Guarantor, about how I would go about getting it and she said well you can dispense with that, you can, you can make a sworn statement. I told her I wanted a plane ticket to London, two ways, and I figured that would be less suspicious than, than getting one way. And she made the application out and in the meantime I was trying to make other - trying out some other methods of getting out of the country and I made a side trip to Montreal and I stayed up there about a week.

MR. GANNON: Did you associate with anybody in Montreal when you were up there for that week?

A. No. I went - well, the first time I was in Montreal I stayed in the Notre Dame East. That's on one side. The next time I wanted to get out of that place so I stayed in Notre Dame West which is about 10 miles further on the other side of town.

Q. But you say you were exploring alternate methods of getting out of the country?

A. That's correct.

Q. What were the methods that you were trying in Montreal?

A. Well, the only method I ever did try, I went to a shipping place, a shipping company and asked, inquired about them about the tickets and things like that and passports. But I couldn't - the tickets were too high - they were more expensive. I think, in fact, the lady told me that they were six, \$600 or somewhere, whereas the plane ticket would be two or three hundred dollars.

Q. It cost more to sail to England than to fly?

A. Yeh, I'm not sure I asked her for a sail to England, I may have asked her to sail to somewhere else, but anyway it was too much money and she was kind of vague on the passport situation. I was thinking about maybe getting on a ship and jump ship or something.

MR. EVANS: How long were you in Montreal this second trip?

A. I rented, I rented a room for a week there but it took about nine days counting the transportation back and forth between Toronto. I was gone about nine days from the Toronto area.

Q. And how did you travel?

A. Bus.

Q. By bus, and you stayed in Montreal how many days?

A. About seven days. I think I went there by train and came back on a bus.

Q. Did you spend seven days trying to find a ship?

A. I made some inquiries but they were just, they didn't, they didn't help out at all.

MR. LEHNER: Did you ever go back to that bar where you met Raoul?

A. No, I stayed, I didn't go around that area, that's - that was, that was in the east side of town, and, see I'd been around a few of those clubs down there -and I'd been in that - I had that robbery business and I kept away from that area, there's always the off chance that someone might see you.

Q. Continue, what happened then?

A. Well when I came back to Toronto, I just stayed close to the room and it wasn't too much longer the passport come through. It was, it was spelled wrong. Instead of Sneyd, instead of having a D. on it, it had, the last letter had a Y. on it.

Q. Had a what?

A. Y. They'd made a --

Q. Do you recall how it was spelled?

A. Well the correct spelling was S-N-E-Y-D, I believe it is. And this was S-N-E-Y-I or Y I believe it was. It was a misspelling of one letter I don't know just what it was.

Q. Okay.

A. A. that's what the last letter was.

Q. It was Sneya?

A. Yes, A.

Q. S-N-E-Y-A?

A. Yeh, that's correct.

Let's see I got the ticket, I went to England, and when I got to England I cashed the round trip ticket in for a oneway to Portugal.

MR. GANNON: How soon after you got to England was this?

A. The same day I got there and started making arrangements to get the ticket to Lisbon.

Q. Had you go into London from the airport?

A. Yes.

Q. And where did you cash the tick-- Where did you cash the ticket in was it a travel agency or an airline ticket office?

A. I believe it was a airline ticket office. I know they had trouble computing it and making the refund.

Q. So what happened happened after you cashed your ticket in?

A. Well, I went to Portugal and made several attempts to get - to catch a ship and I did get one ship, it was going somewhere in Africa but I have -

Q. How soon after you got to London did you leave for Portugal?

A. I beleive the next day. It may have been that night.

MR. LEHNER: Where did you stay in Portugal?

A. I stayed in a hotel, but I don't know. I think it was the Hotel Portugal I believe the name of it was.

Q. In what city?

A. Lisbon.

Q. Where did you stay that first night in London?

A. I don't know if I even stayed anywhere the first night. I think maybe - I think I left out of there, night, late that night on a plane for Portugal.

Q. So you think it was Hotel Portugal in Lisbon and you stayed under the name of, was it Sneya or Sneyd, which name did you use?

A. Ah, Sneyd, Sneyd I believe.

Q. Did you sign it with an A at the end or did you sign it with the D at the end?

A. Well when I came in, they are more strict in Portugal than they are in England with the passports, and I

explained to the guy that I had trouble with the passport and had to get it corrected and he said okay.

Q. So you spelled it with a D at the end?

You spelled it Sneyd the way the true name of the policeman in Toronto?

A. No I spelled it with an A I believe.

Q. You spelled it with an A.

A. Because that - he told me to sign it. He gave me a card to sign, the police did, and he said sign it like it's on the passport, and I did what he said I signed it like it was on the passport.

Q. Although you told him your real name was Sneyd with a D at the end?

A. I, I have some, yes I have some recollection of telling him that it was an error because I was concerned about the, getting some type of a hassel on a typ graphical error and later on I went to the Canadian Embassy and they changed it.

Q. That's in Lisbon?

A. Yes.

Q. What efforts did you make to get out of Portugal when you were in Lisbon?

A. I went, I spent most of the time trying to get out on a ship and I finally found one, but, that was not above my finances.

Q. Was it a passenger ship or was it a freighter, or a tanker?

A. It was a type of - it was sort of a passenger ship but it wasn't an expensive one. There's different types of

grades.

Q. Where was it bound to?

A. Somewhere in South Africa, I don't, I forget where.

Q. That's where you wanted to go?

A. I wanted to go anywhere to get out of Europe.

Q. And why did you not take that trip?

A. In order to go to these countries to go through them or something you have to have visa, you have to get a stamp on your card there, and the ship was leaving in three days, and I went, I went to the, they got -- You have to get these visas through the police force, they are some type of secret police or something, and they told me that it takes seven days to get it and so I didn't have - the ship was leaving in three days so I had to cancel the reservations. I made several more efforts after that to get on a ship but that, there was nothing, everything else was too expensive.

Q. Did you make any phone calls while you were in Portugal?

A. No, I can't recall making any phone calls.

Q. Are you sure.

A. I'm positive.

Q. What did you do next?

A. Well, I returned to England.

Q. Why?

A. Well, I couldn't get no ship out of there. I did make some type of a contact once to try to get to a country

called Biafra, but they thought I was a United States Citizenship, United States Citizen and I couldn't get, couldn't get in there either. So, consequently, I went -

Q. You didn't tell them you were Canadian?

A. Yes.

Q. Well, why did they think you were American?

A. I don't know why they got that impression but they were suspicious of people from the United States which I

MR. GANNON: Wouldn't the passport have convinced them that you were not an American?

A. Well, yes after I showed them that, but at the start they thought I was connected with the newspapers or something and what I did I went to the Portuguese Foreign office and asked them about getting down there, and he sent me to some other party and the other party wasn't connected with the government but they were concerned about reporters or something, so anyway that never, naturally that didn't work out so I came back to England and I was there about three weeks.

MR. GANNON: James I just have one question about something that puzzles me. When you come back to England you have to use the rest of your airplane ticket, right?

A. That's correct.

Q. And, I was just thinking that, did you think at all of cashing the ticket in in Portugal for the rest of the money that if whatever you had left on the ticket and using that money to stay in Portugal until you could get the right ship?

A. I don't think there was all that money left over and I'm not even sure you could cash it in, in addition I just didn't have that much money - my inquiries around didn't leave the impression that you could, you could, that I could be able to get down there. This, what I'm trying to say, the ship I found was about the cheapest one you could ever get. I think think it was a \$100-70-\$80 all the way to South Africa. Now, some countries in Africa -like all over the United States - I mean the world, they won't let you in there without you got a round-trip ticket or considerable funds, they don't want no welfare cases down there.

MR. LEHNER: When you got back to London how much money did you have?

A. I don't know just how much, not too much, I think \$400, I forgot.

Q. Did you commit a robbery in London?

A. No, I didn't, but I don't want to get involved in that because there's a, we are getting in this civil liabilities again and things I have told Huie and mislead people - so I'll testify to that under oath if it ever becomes necessary.

Q. Without going into details for now you did not commit any robbery in London?

A. No. But I don't want to get too tied into this like that's the same way with the escape and a couple of other things because -

Q. Speaking of the escape have you made a decision as to whether or not you will tell us the factors of the escape?

A. I'm, I want to try to find out what the attorneys told William Bradford Huie and, there's several areas of this that's, I don't know what my civil, my civil, what the civil liabilities are. I know we have sued Huie, and --

Q. Is there a present suit pending against Huie?

A. Yes.

Q. Based up what?

A. Credibility and libel and things like that.

Q. What is the libel that your suit alleges?

A. Well that -- Well, he's accused me of various robberies in the United States and England and I've denied it, and the Sixth Circuit has that now and they should hand down the decision any day. All the defendants filed motions to dismiss and the Sixth Circuit refused to do it, so usually when they refuse to -- Those preliminary motion to dismiss there's a possibility that they will remand it and if they do well then we will get discover on Huie and the Government and all that. But these robberies and all that has come up, and now I believe all this will be decided in a couple of weeks after that why I think we could be, I mean, you, I think Mr. Kershaw he could do some research to find out what --

MR. KERSHAW: Yes, that would be ---

MR. LEHNER: Do you want to hold off from discussing the escape and the London robbery now?

A. Yes, it might be a good idea, the Canadian robbery too. Like I say, I won't have any problems discussing these and probably denying them but I don't want to --

Q. When you say, the Canadian robbery too, are you

talking about the robbery that you told us about already about the, the house of prostitution?

A. Well that's a supermarket. Now, he accused me of robbing a supermarket. there, so - Now, this may not even be relevant to the liable case, I mean that might be legal.

MR. KERSHAW: Yeh, I think so too.

A. I'd rather wait for a couple of weeks to see how the Sixth Circuit rules and then -

MR. LEHNER: Okay, continue.

When you came back to London what happened then?

A. Well not too much happened there, I was trying to - I figured I could operate better in London in an english speaking surroundings than I could in Portugal. If necessary I might be able to go to work. But really nothing much happened there, all the time I was there and subsequently I was on my way to Belgium and I got arrested.

Q. Why were you going to Belgium?

A. I called up the newpaper and he said possibly, the possibility that if you went to Belgium you could get out of the country afterwards somewhere by joining some foreign army and once you got down there why of course you could take off more or less.

Q. What country were you planning to go from Belgium?

A. It didn't make any difference.

Q. Some African country?

A. Well, preferably an english speaking. I think there were three or four of them.

Q. How did you get apprehended in London?

A. I was - I think when I went, I went to the airport to get on the plane and when I went to the check out counter there was an individual there who I thought was a customs officer and he asked me - he said there was some slight mix up on the passport and he asked me to come in the room with him and once he got me in the room ~~there~~ was another. there was a policeman in there/and they ^{that made two of them,} locked me in the room and said Scotland Yard wanted to see me or something and -

Q. And what did they say to you?

A. They didn't say too much of anything. About a half an hour later about 20 of them come in there, and they said something about you are James Earl Ray or something. And 8 or 10 of them grabbed me and they finger printed me, and -

Q. They said you were James Earl Ray?

A. They said are you or something.

Q. What did you say?

A. I told them I think I was -- my name was Sneyd or something.

Q. I think my name is Sneyd?

A. Yes.

Q. What else did you say?

A. I think they, well, they did most of the talking. I didn't say really much of anything except denying the accusation and they-

MR. EVANS: Were you armed?

A. Yes.

Q. What were you armed with?

A. .38

MR. LEHNER: Was it loaded?

A. That's correct.

Q. Had you used this weapon somewhere in England?

A. No, I hadn't.

Q. Well, had you displayed it somewhere in England?

A. No not to my knowledge.

Q. Well did you say, what did you say besides denying that you were involved?

A. Well, there were 8 or 10 of them, they were doing most of the talking, they were fairly excited. Butler he was - he was the head of the squad - I think it was the flying squad they called it and 7 or 8 of them grabbed me and they fingerprinted me and they held me there for a while and they made some calls and then they took me to another station in a car downtown. The airport sits outside of town. They took me to a prison inside of London and put me in a cell with two or three other policeman, and they asked me again about this Sneyd business and the glasses and I didn't say anything.

Q. What glasses?

A. They asked me if I really wore glasses or if I really had -

MR. GANNON: Were you wearing glasses at the time that they arrested you?

A. That's correct, yes.

MR. LEHNER: Why were you wearing glasses?

A. Well, that corresponded with the passport.

MR. LEHNER: Were they plain glasses?

A. They were reading glasses, yes.

Q. Were they glasses that you needed to help your vision?

A. Yes.

Q. When did you get those glasses?

A. I got them in Birmingham in September of '67 I believe it was.

Q. But you wore them because of the passport photograph of you had them? I don't, I don't understand why you say to correspond with the passport?

A. Well, when I got my picture taken I had the glasses on, so I just kept them on on account of I had the passport.

Q. Do you know if the real Sneyd wore glasses?

A. No, I don't.

MR. GANNON: From the time you got the glasses until the time you were arrested did you wear them very often?

A. Well off and on if, if I were driving or reading a lot or something I would wear them, but -

Q. Does that, does that mean that ordinarily through you would not wear the glasses?

A. Well, if I was driving or reading something that was important I'd read them, I've had trouble ever since '61 because my eys - I recently got examined again and the Doctor said up here that I had some type of astigma and he said I should wear them all the time. But I'd rather not unless it was really necessary.

MR. EVANS: Did you have any limitations on your driver's

license in Birmingham?

A. About glasses?

Q. Yes.

A. No, they didn't, just, they don't make no real strict test, they are more concerned with the fee I think.

MR. LEHNER: Did you make any phone calls before you were arrested anywhere in Europe?

A. Well, I called this newspaper, I think I mentioned that, "The London Telegraph" and asked them about various methods to get out of, to get out of Europe.

Q. And they suggested that you go to Belgium?

A. Yes.

Q. Besides that call?

A. I can't recall any.

Q. Did you state after you were arrested at one time, "I feel so trapped?"

A. No, that's silly, I never made any statement like that.

Q. When you say silly, why do you say that?

A. Well that's just out of character saying -- I've been in jail, in and out of jail, so I wouldn't say I feel trapped. I just didn't -

Q. Well hadn't you been running for over a year after you escaped from prison?

A. Yes, but, I was never under any much stress except when I was doing something maybe illegal or the police stopped me.

Q. Were you in quite a bit of stress when you were trying to get out of the country in Canada when you got the Sneyd and Bridgeman passports, passport, you got the passport for Sneyd, did you get a Bridgeman passport?

A. No.

Q. Did you get a Bridgeman birth certificate?

A. Yes.

Q. How did you get that?

A. I wrote to the Registrar General and sent two dollars and got it.

Q. And did you have it with you at time that you were apprehended in London?

A. I don't know if I had the Bridgeman or not. I may have. I don't have any recollection. If I did I would have probably had it hid somewhere in the case.

Q. Well you knew that you were being sought for the murder of Dr. Martin Luther King didn't you?

A. Well I knew when they started looking for the Galt name I was 99 percent sure before that and after that why -

Q. When was that that you first knew you were being sought for the killing of Dr. King?

A. Well that was - I'd been stopped up there in Toronto for jaywalking and the police - I used the Galt name and some lonely hearts address. I think just a couple days after that they come out with the Galt name and I think they got a picture and all that stuff.

MR. GANNON: Did the policeman actually write your name down when you gave it to him?

A. He wrote me a ticket.

MR. LEHNER: Were you surprised when they came out with the Galt name looking for you in the Dr. King case?

A. Not, no, not too much surprised, not at that time I wasn't -

Q. Why not?

A. Well, I read the paper and put two and two together and all that stuff.

Q. Well, did you, what two and two did you put together?

A. Well, the Mustang and all that business.

Q. What all, what other business besides a white Mustang?

A. I don't recall it all now but I, I know I was observing, reading the papers and things, reading enough to know whether - while some of the - well I could just tell now that they were most likely looking for me.

Q. Why?

A. Well probably the same thing, the same answer to that I gave you, is when I heard them looking for the Mustang on the radio, I just - I just had to make certain assumptions based on the auto and the rifle and things like, things of that nature.

MR. GANNON: Well if I remember the papers properly what they wrote, I mean they were writing about someone coming down, and, eyewitness accounts like Stevens and some of the other

people in the rooming house and someone dropping a package outside of Canipes and then a Mustang speeding away driving away from the scene in a hurry, you knew that wasn't you, right?

A. Yeh, well, I knew they wasn't looking, I was almost positive they wasn't looking for me after the actually shooting because I'd seen a diagram in the paper of a red haired guy with a high forehead and things like, but I thought they had enough where they could have saluted me away for several years if they got, you know, if they laid hands on me.

Q. For what reason?

A. Well, the gun, the gun charge would probably carried five years.

Q. What gun?

A. Well, the rifle, that's what connected to the -- The one I purchased in Birmingham.

Q. The fact that you purchased a rifle how would that be a violation?

A. Well, I could easily figure up 30 years right now where even if I could -

Q. Well let's hear you figure them up.

A. Well the rifle would have been five.

Q. What's the violation for the rifle?

A. Well interstate transportation of a firearms by a fugitive.

Q. How were they going to prove that you transported it?

A. Well, with my record I don't think there would have been too much problem of - if they'd hooked me up to buying it, and I don't think they'd have had too big a problem with a Memphis Jury or any other Jury in convicting me. As a fugitive and all that calls for five. I had 13 in Missouri that's that's 26, and I was 40, 40 at the time and that would have been 66 and I imagine they could have conjured up about 15 other charges against me.

Q. Then why did you think they would come after you since the picture didn't look like you, and the picture was the one that they were looking for, for the one that dropped the dropped the package, and you weren't anywhere near there at the time, you had come afterward from the gas station, the picture didn't look like you, you weren't seen leaving there, why, why were you not surprised when the name Galt came up that they were looking for you?

A. Why was I not surprised? Well, I wouldn't say I was not surprised I wouldn't say I was, or surprised. I don't know, it's just what evidence I had, there was enough evidence there to me to be, to have thought that they would have had some type of accumulation --

MR. KERSHAW: Had there been stuff in the paper about the package in front of Canipes and what was in it and all that?

Q. Well, I'd read, I'd read several stories on it and --

MR. LEHNER: What stories did you read?

A. I don't recall them now, but they were considerable

stories, I can't remember now all the small details.

MR. KERSHAW: That would give you grounds to think that they ahd picked up finger prints, right there wouldn't it? And they could - were suppose to be able to analyze those pretty fairly?

A. I don't recall what all I read about it. I know I read enough where I know that I wasn't going to come into the police station and say here I am.

Q. Well you weren't going to do that because you owed time. But if you didn't owe time you would have done it right?

A. No, I wouldn't have done it either.

Q. Why not?

A. I can't see myself going into a police station under any circumstances.

Q. Why?

A. Well, I don't know that's just my experience in law.

Q. I'm getting, I'm saying if you didn't owe time why wouldn't you go to the police station? You say even if you didn't owe time you would not go to the police station.

A. No I wouldn't.

Q. If you're just there in the aftermath of a, of a shooting why not tell them it's not me I didn't have anything to do with it?

A. I don't know it's just my experience that things don't work out that way. You can - you don't go into somebody and tell them you don't do it, you go try to get you a lawyer

and let him go tell them that you didn't do it.

Q. Well, did you try to get a lawyer to tell, to tell them the story so that he would do it?

A. Well, if I had been arrested I would have tried to get one, but now I don't care how weak a case is, now that's foolish to go tell - try to explain to the police because a prosecutor they just take what information you got and they'll build a case against you.

EVANS: What were you doing when you first heard this, I mean what were your reactions, what did you do after you heard that they were looking for Galt?

A. I threw all the identification away.

Q. Yeah, and?

A. I wasn't positive.

Q. Was that before you went to Montreal? Did you go to Montreal after that? Did you get panic and try to get out by ship?

A. Yes, that's, I went to Montreal after I heard that. Yes, I got rid of the identification. Then I think I moved out of that rooming house on Ottinger and moved in permanently with the Chinese lady.

MR. GANNON: Can I interrupt?

MR. EVANS: Yes.

MR. GANNON: I was going to ask you, you first went up to Montreal, Canada, you know you tried to make connections, and you ended up making connections with Raoul, this was back in like July or August of 1967. When you were in Toronto

and then again when you were in London and even in Montreal the second time, why didn't, well, did you try to make connections with somebody since money was a problem, right, at that time? Did you try to make connections, the same, not necessarily with Raoul but with the same kind of connections that you made in Montreal in the summer of 1967?

A. No, those type of connections, I needed more or less money fast. Those type of connections takes so long to develop. I did consider robbing a place several times after I got back there the second time but there was always something that come up that I had to balance off against robbing a place in taking a chance in getting caught versus possibly getting a legitimate passport and getting wherever I wanted to go.

Q. Where were you considering pulling the robbery?

A. Well Canada or England, wherever I was at, Portugal, but I never did, there was always some - something that held me back because I figured that if I got caught pulling a robbery, especially after the Galt news came out, why - My real intentions were getting somewhere and going to work and trying, you know, more or less fade into the scenery.

GANNON: Did you make any applications for jobs while you were up there in Toronto for example?

A. The second time?

Q. Yeh, well like in April of 68?

A. No, I didn't intend to - I didn't intend to stay in Canada because that's too close to the United States. in addition they had - they had information that I had already been there through that locksmith course and everything. I

wouldn't consider staying up there.

Q. Did you consider work, going to work in London?

A. Ah, I did at one time, but I was going, more concerned about getting out of England too, getting somewhere. I wanted to get out in the boons, in the bushes somewhere, where I wouldn't --

MR. EVANS: You knew they were looking for Galt, right?

A. Yes.

Q. And you just said that you knew that they - through the locksmith, locksmith course they would trace you back to Montreal, yet you went back to Montreal.

A. Yes. If I would have stayed up, stayed in Canada I think that they very well, since they knew I had been up there once, that I think they would have made a strong effort to find me in - find me in Canada if I had stayed up there.

MR. GANNON: This thing, did they know that you had been in Canada?

A. I, yes, I they knew I had been in Canada through the locksmith course.

LEHNER: We asked you before about items that you found in the car and you told us about the sandals that you threw out on, in route to Birming - in route to Atlanta from Memphis, what else did you find in the car that might have been left by Raoul besides these sandals?

A. I'm not, I'm not sure I threw the sandals out. I saw the sandals in there one time. I don't recall just when I saw them in there. I was changing the tire or something and I -

I think when I shook the car down in Tijuanna that's probably when I saw them in there. But I didn't, I don't recall seeing anything else in there that, that shouldn't belong in there. I think the only reason I seen these I think they were stuck down inbetween the tire and the - there's a enclave inside the back where the tire fits in and -

Q. So there's, there's nothing else that you could recall that you ever found in the car that might have belonged to Raoul other than the sandals?

A. There was sandals, there was a pair of underwear, and there was a cigarette case left in there one time and -

Q. The cigarette case was in, found in Mexico?

A. That's in Tijuanna.

Q. The sandals in Mexico?

A. I saw them somewhere but I can't place when I saw them in there.

Q. And what about the underwear?

A. I saw them the same time the sandals. I think I, I was cleaning out the car when I saw this stuff. I think - I have some recollection there was something down in between the tire and the enclave where the tire fit in.

Q. When was that that you found the underwear?

A. I don't, I don't know when I saw, - I just assumed I saw the sandals and the other stuff in there when I crossed at Tiajuanna. But I don't ever recall throwing them out unless I threw them out in Alabama, April 4th.

Q. Did you ever hear of anything being found in the

car that may have belonged to Raoul?

A. I haven't heard anything about sandals, but I have heard that they said they found some small clothes in there but I don't, that's just a story, a hearsay story.

Q. Or anything else that you heard, may have, that may have belonged to Raoul that was found in the car?

A. Cigarette butts, I don't know of anything about that. They said there was considerable mud on the front seat, the passenger side, I don't know anything about that.

Q. Any paper or cardboard?

A. I don't recall. I think, well, you might ask my brother about the - they give the floor boards-the seat-the floor pads to him when, after I plead guilty.

Q. They gave what to him?

A. The floor pads out of the car.

Q. You mean the pads on the floor in front of the driver and the passenger?

A. Yes.

Q. Why did they do that?

A. I don't know, it's on the receipt some place.

Q. Is that the only thing from the car that they gave to him?

A. They gave him a spare tire, the lug wrench, this floor pads out of the car, and they give him the radio that they supposedly found in front of the rooming house, and he still has the radio, and I can't think of anything else.

Q. Any paper or cardboard?

A. Well, there's a list of what, what they've give him and what they haven't. I think I - did I give it to you?

KERSHAW: I've got.

A. you got it?

Q. I can send you a copy.

MR. LEHNER: I'm saying have you heard from any source that anything such as paper or cardbord with any writing on it or anything printed on it was found in the Mustang?

A. No, I haven't read all these stories. I just read excepts, even these books I haven't - the only one full book I read - I think I read Huie's that was the libel case.

MR. KERSHAW: He must be talking about that match cover with the phone number on it or something.

A. No, I don't - I don't recall any Robinson, Robinson.

Q. R-O-S-E-N-O-N?

A. That was a cigarette package, but I don't know if we should go into that because I have never gotten a chance to talk to Mr. Kershaw just on how far we should go on these things.

Q. Yeh, that's right.

MR. LEHNER: Are you talking about something that was found in the cigarette package in Mexico?

A. In Tijuana, yes.

Q. Well there's a name in there by the name of Rosenson?

A. Yes, Rosen. It was Rosen.

Q. Rosen?

A. Yes.

Q. What did you do with that?

A. I threw it away I think when I threw, when I threw the other identification away in Toronto. That was later on checked on and the real name was Rosenson.

Q. Rosen - what?

A. The real name is Rosenson, but it was wrote down Rosen.

Q. Is there any reason you don't want to go into that?

A. Yes. I'm - if I go into that I will have to go into all about who all investigated and I'm - I'm more concerned - I think before we should go into any detail we should see how forthcoming the Justice Department, and the Rockefeller Commission, and the Church Committee, and the Abzug Committee is gonna be, and Judge Smith up in Washington, what he's going to do. So I have no objection in going into it. The fact is, I filed some of it in court, but where the complications would come is where I starting going in all these people that has investigated. I'm going to have to talk to some of them to see if they have any objections and -

Q. Well, papers have been filed in court already?

A. But they are vague, yes.

Q. What court is this?

A. Ah, they are in the Sixth Circuit now, and I also sent a copy of them, when the Justice Department started

investigating the case they wanted - they told me they wanted something about the details and the investigation wouldn't been complete unless they let me testify, so I took a copy of the writ, two pages, and I said well investigate this and then I think subsequently I think Mr. Bell the Attorney General he went on TV and said he didn't want to engage in something that might be libelous.

Q. This Sixth Circuit case that is pending, who is the Plaintiff and who is the Defendant?

A. I'm the Plaintiff.

Q. And who's the Defendant?

A. Well actually there's too many defendants on there but the judge dismissed it before he'd take the discovery and consequently I didn't have a chance to dismiss defendants after interrogatories. The defendants are, the main ones, Time, Inc., George McMillan, William Bradford Huie, Gerald Franks, and W. Henry Hill the former Attorney General up there.

Q. Who is representing you in this case?

A. Well, nobody but I'll get an attorney --

Q. You did this proces?

A. Yes. What I intended to do is, these things cost a lot of involvement, work, so I, I intended to file interrogatories and everything, once I got that done I'd have counsel to take it over.

MR. LEHNER: Well, Okay.

Mr. Kershaw what I think from what I gather there are certain things that Mr. Ray wants to discuss with you

before we go into it further -

MR. KERSHAW: Un huh.

MR. LEHNER: -and the time is seven after four so why don't we suspend now unless there is anything further you want to put on the record or that Mr. Ray wants to put on the record at this time?

MR. KERSHAW: No.

MR. LEHNER: Is there anything further Mr. Ray that you want to put on?

A. No.

MR. LEHNER: There is one other thing. We are planning to see certain people and inquire of them of what they have in relation to materials that you have given them and materials that they have gathered in your behalf while either representing you or working with someone who has represented you and, therefore, I'd ask if you would consider giving us a waiver now as to any confidentiality and any attorney-client privilege pertaining to the public defender, you have already given us a waiver as to Mr. Stanton, Jr. who was one of your public defenders at one time. Now, if you would give it to us for the office including Edward Thompson who is presently the Public Defender as well as Renfro Hayes who is an investigator working for you and as I understood worked for Mr. Hanes, your first attorney that would be helpful to us so if you want to discuss that now with Mr. Kershaw and if you would do that we would appreciate you doing it at this time to aid us in speaking to these people in the near future.

MR. RAY: I have no objections if he doesn't?

MR. LEHNER: Okay, we'll go - We'll, Mr. Kershaw do you want to take position now on this, we are still on the record that's --

MR. KERSHAW: Yes, I don't see any reason not to.

MR. RAY: Let me say this. I think we may be getting into civil liabilities areas again because Renfro Hayes sued me for investigative work and he won a judgment for \$9000 and so it --

MR. LEHNER: That has to do with --

MR. KERSHAW: It can be a separate case.

MR. LEHNER: -that has to do with that between you and he, that's Hayes we are talking about, Renfro --

MR. RAY: Renfro Hayes.

MR. LEHNER: -Hayes, yeh, so we wanted his work such as interviewing people like Carter, and Jones, and various people that he worked with as, I understand, as a investigator for Mr. Hanes.

MR. RAY: Yes.

MR. LEHNER: Would you be able to give us that waiver?

MR. RAY: Yes I'll sign it but I think it's a big mistake.

MR. LEHNER: Okay.

Fine, it is now, it's 10 minutes after four p.m. and we will close the session and cut off the tapes if that is agreeable with you Mr. Kershaw?

MR. KERSHAW: Yeh.

(End of Fifth Interview with James Earl Ray).

May 3, 1977

I, James Earl Ray, hereby waive
all privilege, including attorney-client privilege,
~~between~~ between myself and the following:

- 1) Shelby County Public Defender's Office
- 2) Edward Thompson, Shelby County
Public Defender
- 3) Russell X. Thompson.
- 4) Renfro Days

I also wish that the above four,
Public Defender's Office, Edward Thompson, Russell
X. Thompson and Renfro Days, fully cooperate
with the House of Representatives Select
Committee on Assassinations and supply them
with all materials received from me or
on my behalf.

James E. Ray

P.O. Box 727
Pettico, TN
37845

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N. AMERICAN

SIXTH INTERVIEW, JAMES EARL RAY, AT THE BRUSHY MOUNTAIN STATE PENITENTIARY ON SEPTEMBER 29, 1977 BEGINNING AT 10:17 AM AND ENDING AT 4:30 PM.

LEHNER: Okay, it's now by my watch 10:17 am. Today is September 29th, 1977, and present here are: Alan Hausman of our staff, myself Robert Lehner, Ed Evans, Louis Hindle, Jack Kershaw, Mrs. Kershaw and James Earl Ray. And we are here in the conference room of Brushy Mountain State Prison.

Now, before we start let me go over a couple of things. One, Mr. Kershaw, in order to recompense you for your out of pocket expenses in you coming down from Nashville to here I would have to swear you in as a witness, and just ask you did you make that trip and are you the lawyer representing Mr. Ray in order to have our Committee to recompense you for that expense, but I wanted this to be in front of Mr. Ray so you realize that even though it's your attorney the House Committee on Assassinations isn't going to be paying him, not a fee, nothing other than out of pocket expenses incurred in the trip in coming down here with Mrs. Kershaw, Mrs. Kershaw, is operating your tape recording device to tape the entire conference, we wanted to do this with your knowledge and your consent. Is that all right?

RAY: Yes, yes.

LEHNER: Okay, so maybe I could say, Mr. Kershaw, do you swear that everything you say here will be the truth and nothing but the truth so help you God?

KERSHAW: I do.

LEHNER: And what is your name, sir?

KERSHAW: Jack Kershaw.

LEHNER: And are you the legal counsel representing James Earl Ray in his legal matters?

KERSHAW: I am.

LEHNER: And did you come down from your home in Nashville to Brushy Mountain to be present during the interview today?

KERSHAW: For that specific purpose.

LEHNER: I thank you sir. End of statement as far as you are concerned.

Next we have some waivers of privilege between Mr. Ray and previous attorneys, and I wanted to show Mr. Ray the one that Mr. Kershaw just handed to us, and this is the second one that we have prepared and given to Mr. Kershaw during his trip to Washington when he was there speaking with the ballistics experts who have been working on this case. And as we mentioned before we intend to interview these various former attorneys or investigators for you, and so if you wanted to we'll take this up at the recess. You'll have a chance again to speak to Mr. Kershaw in private pertaining to these matters and maybe we'll pick it up after a recess as to what you want to say in relation to these attorneys. I think one that is not on the typed list is Arthur Hanes, Jr., I don't know if we have received or haven't received a waiver as to him, but he would be another attorney that should be included in that typed list. So, I wouldn't ask you to make any comment now, just if you, just, we'll hold that in abeyance until after one of the recesses.

RAY: Okay.

LEHNER: Ah, we left off in our last interview where you told us about your being captured in London and by and large what I'd like to do is take you from that time through to the present with your em--- with emphasis upon your representation by your attorneys, notably Mr. Foreman, Mr. Hanes and your dealings with Mr. Huie. I know this has been the subject matter of some litigation in the past, but with your permission I would like to get it from you now, as best you recollect, and to explain to us your, your representation and your contacts with Mr. Huie, if that is agreeable with you?

RAY: Look, well see, now Mr. Kershaw he called me up and said they was going to speak about Percy Foreman, and I think Bradford Huie. Now he didn't say anything about Arthur Hanes, so I didn't go through too many papers, but I, I guess we could go through that. But see, ah, one of my problems in this case is 10 years old and I have trouble remembering everything. So, I've decided not to, you know, before I've just been relying on memory and I've decided from hereafter to try to get all these papers together. In this respect I had my brother, I had some stuff locked up in the lock box on the outside and I've had it, he's brought me almost everything I have on the street in here and that way I can, in other words after I testify I don't mind being cross-examined but don't testify on memory and then have to, because I know in some instances there's going to be alternatives. I can't - I can't be specific on certain things. Let me give you an example. When I was in Canada I had to throw all my identification away one time, and

I had phone numbers and addresses, plus all my bogus identification. See, I, I really don't know now what caused that. I was, I was arrested one time on the street and I may have went back to the room and threw it away, and then they also put out my regular, real name on TV and I may have threw it away that time, and I may have threw it away because I got new Canadian identification, but that's just an example. It's going to be, certain times I'm going to have to use an alternative because I just can't, ah, be specific.

LEHNER: Why don't we, when that comes up, why don't you specify that you're not sure it's either A. or B. and give the alternatives to it.

RAY: Yeah, especially, yeah, that's what I'm going to do. That's why I'm trying to get all these papers together. Now I've got everything together except the Huie papers, now. I believe you've got those and you are going to get a copy of them.

LEHNER: Right.

RAY: Now on the Huie things, in his book, now, he quotes me a lot of times giving him false information. I did give him false information two or three times, but now I inadvertently give him false information seven or eight times, but I usually always correct it. Well, a lot of times Huie he wouldn't acknowledge a correction, he'd just go ahead and say I, you know, give him--

KERSHAW: Offhand I can imagine no more worthy recipient of false information than Mr. Huie, but go ahead.

RAY: Well ---

LEHNER: Could you give us an example of what you mean with Huie that there would be like three instances where it was, where you did it purposely and maybe seven or eight times where you did it intentionally or --

RAY: Unintentionally.

KERSHAW: Unintentionally.

LEHNER: Seven, seven or eight times that you did it unintentionally?

RAY: Sometimes it would just be an error and I'd research and find out it was an error. Ah Well - I think three --- two or three times I give him false information. I don't want to go into details at this time because the next time you're here I will go into it. I think the three times I give him false information is one time on the, ah, a robbery in Canada. I robbed a house, gambling house, whore house, whatever you want to call it. Which I really did. Well, later on I found out, I give him false information directly, I told the attorney I robbed the market but not to tell Huie and he told Huie, and Huie from then on he had me robbing the market.

LEHNER: Why, why did you tell that to the attorney, that you robbed the market?

RAY: Well, I, he was, the problem was, I was having then whenever I'd tell Huie anything I'd get more witnesses against me. I started out with a hundred, 299 witnesses and every time I'd tell Huie something, why, the Attorney General would send me another four or five, maybe 10 or 15 more people. So, I, I asked Hanes one time just not to tell him everything. I was particularly concerned about telling him everything on the April the 4th, but apparently he was telling him everything so

KERSHAW: You planted the market robbery story?

RAY: Yes.

KERSHAW: To see if Hanes would tell Huie?

RAY: Yeah, there was no -- Yeah, there was no market robbery.

LEHNER: You told Hanes not to tell Huie?

RAY: Yes.

LEHNER: And then how did you find out that Huie was told about it?

RAY: Ah, ah, well he, he wrote me a note and there was something, said something about he'd caught me in a misrepresentation, misrepresentation or something.

LEHNER: How did he know it was a misrepresentation? How did he know that you hadn't robbed a, a grocery store or supermarket?

A. How did he know I hadn't of?

LEHNER: Yeah. How did, why --

RAY: Well I told him first that, about the first establishment.

LEHNER: The gambling place?

RAY: Then I told Hanes that was false, that I'd really robbed the market. So, I said don't say anything to Huie about it. And of course he went and told Huie about it.

LEHNER: Then when Hu--- When Huie wrote you that note, was that a note saying you lied on one of the two occasions, I don't know which or, that you lied about the supermarket part of it and that the true story is the gambling establishment?

RAY: No.

LEHNER: In other words had Huie, had Huie made some kind of, some type of investigation where he determined which one was the truth and which was false?

RAY: No, but he determined, he assumed that everything I told the attorney would be correct, you know, of course it wouldn't be in my interest to lie to the attorney. And now, I'm not sure whether he sent a note back or he sent Art Hanes, Jr. back. A lot of times, usually the only thing Art Hanes, the young Hanes did was, was carry messages, and It could been either one but I know -- Well he, he goes into it in detail in his book. I don't have the book right here but ---

LEHNER: What, what I'm trying to get at, did Huie, however he communicated to you, did he communicate that one of the robbery stories was true and one was false? Did he have a, indicate which one he thought was true and which one he thought was false?

RAY: Well yeah, well apparently Art Hanes, Sr. explained what I'd told him, so he assumed that this market was correct, because I don't know why, but I just guess he just assumed --

LEHNER: He assumed that the second one was correct and that you had lied to him about the gambling establishment?

RAY: That's correct.

LEHNER: I see.

EVANS: Hold it, one thing, is that a gambling establishment or is that a bar, is that a house of prostitution?

RAY: I think it was both, I don't know.

EVANS: It was both?

RAY: I think so.

EVANS: Do you recall just how that was set up?

RAY: How I set it up?

EVANS: How it was set up, I mean, how the robbery was set up and how the inside of the premises were set up?

RAY: I think I drew, I drew a map and everything at one time. I know it was on the second floor. I'm pretty sure it was on the second floor and I have a pretty good recollection it was in the French section of the city and I have, I have a fairly good recollection of where, where it was at.

EVANS: Yes.

LEHNER: Where -- Where did you draw the map?

RAY: Huh.

LEHNER: Where did you draw the map?

RAY: I probably give it to Huie or Bernard Fensterwald or one. I drew so many maps, but I can't, but I assumed I drew one of that too, but I'm not positive.

EVANS: Well could you now draw us a map based on your recollection as to where this location was?

RAY: I don't know if I could give you the exact location, I could give you a fairly accurate, I don't want, I don't think I should draw it now, let me see, it's not too far from St. Catherine Street. I'm familiar with that area pretty good but I never did go back in that specific area after this incident, but I'm, but the general area I'm pretty familiar with it. But -

EVANS: Yeah. How did you set that up?

RAY: That, that was early on, I think that was, when I came into Montreal I was fairly, pretty short of money.

EVANS: Right.

RAY: I think I, I think I stayed in a motel or hotel right after I got close to Montreal. I think I, I think I started setting up the first from the motel out side of Montreal somewhere. I don't know just how close it was and I was driving the car and I picked up some girl in a club down there, this was, this was in the Expo season and --

EVANS: Uh huh, you picked her up in a club in Montreal or outside of Montreal?

RAY: In Montreal I think I was, I think I stayed in Montreal. I'm not certain, I'm not certain when I came into Montreal, when I came into Canada I didn't, I didn't have really too much money and I think I stayed - I think I kind of slept overnight in the car for a couple house one night and another night I think I checked in a motel, and I think I check in the day time or something and I slept a few hours and went in that night or something and set this thing up. And the cause for this being short of money was when I left Chicago the car I had had broke down and I didn't have too much money and I had to use \$200 of the moneh I did have to purchase another car, and I think, I think I probably set it up, I know I set it up one day, and the next day I went ahead and got the money.

EVANS: When did you --- When did you commit the robbery, day or night, got a time, approximately?

RAY: Yes, it was at night time but I don't, just -

EVANS: About what time, do you remember?

RAY: Ah, ah, I would say it was before midnight. Some

time between, between dark and midnight. I couldn't be specific.

EVANS: Well, do you want to sort of just give us a run through of how it happened and what happened when you got there?

RAY: Well the first time, um, well the first time I went up there to the room with her. I was more or less casing the place that time and the next day I went to --

LEHNER: Did you do any gambling?

RAY: No, no I don't - I didn't have no money to gamble.

EVANS: Okay.

RAY: And I think the only reason I new there was gambling there I think she mentioned something about, you want to play cards or something, and the next day I went down to the same establishment, it was on St. Catherine East. I don't know the exact address, and I got, picked up the same person and went back up there, and she, she would take some money in, she took some money in, I think she'd go in the room with you and get your money and then she would go into the, go into an office and give it to a fellow down the hall and the first time, like I say it was more or less just casing the joint, casing the place. And the next night I went up there and gave her the money and then I took her in the office and held this French fellow up, whatever he was. And he had some type of a small room in there or something, a cot, and I had some, I had trouble getting the money off him. He had a certain amount of money in his pocket but it was a small amount and after I got it out I tied him up and got him part the way under the bed and had her lay on the bed and I --

EVANS: Well how did you get the money from him?

RAY: Well he had, I think he had \$5 in his pocket but he had some more hid in a cabinet or something.

LEHNER: Well how did you convince him to tell you where the money was hidden?

RAY: Well easy -- Well I had a weapon, a pistol.

LEHERE: Well where did you get the pistol?

A. I got that in East St. Louis. I never have give you this name, but I'm going to try to give it to you the next time you get here, because I'm trying to -- What I'm trying to do is get all this stuff together and write it out and let you, you know, cross-examine, whatever it is.

EVANS: All right. Well, you know, we are trying to establish your credibility. We want information you can give us/something of this type, of course.

RAY: Well the thing is, I want to get it wrote down because when I ever, when I testify or orally without writing it down I leave out details and I know when, If I ever am under some type of cross-examination, and they say, well how come you left out this detail. So I want to be specific when I testify against these things in detail.

EVANS: All right. Getting back to the girl, you arranged -- Did you arrange to meet with her the next night?

RAY: No. She just happen --- She just stayed at that club there, I didn't --

EVANS: Which club was this, do you know the name of the club?

RAY: I would know the general area it was in, yes.

EVANS: Okay, is this any where near the rooming house or the hotel that you eventually stayed in when you did move into Montreal?

RAY: No, I tried to get quite a ways from that area. Now this area were are talking about, would probably be about 1300, 1400 St. Catherine East. The place I evidently moved to was in Notre Dame Street about 4000 East, which would be about 30 blocks farther away.

LEHNER: When you -- When you first gave the story of the, of the gambling establishment robbery to Huie, to - to - to Hanes, was there an agreement that this was to go to Huie or it was not to go to Huie. In otherwords what was your arrangements with Hanes as to what was to go to Huie and what was not to go to Huie?

RAY: Ah, well, I never did -- I never did have anything down in writing about what I would give Hanes and what I wouldn't. It was -- It was our understanding that we wouldn't give Hanes too --

LEHNER: Huie, you are talking --

RAY: -Huie too much of the details on April the 4th, because I was sort of suspect -- I didn't know anything about Huie, but I, I sort of suspected it being he was in the newspaper business he was interested in publishing details and, you know, the facts of the thing. And this things -- This thing sort of progressed. Let me cite an example of how this was. Well, for instance, the FBI never did know where I was at between the day I escaped from Misssouri up until the, I escaped in

April up until June when I quit working the restaurant because I was going under the name of John Rayns. And when I give Huie, Hanes the information, he gave it to Huie and back came about 20 or 30 witnesses. And the FBI went up there and questioned all those people, Well I, in my opinion this thing damaged the case, not so much because I wanted to keep something a secret but because, by the fact that the FBI didn't know where I was at two months indicated that they wasn't infallible. But now, once they get this information why, you know, it's ah, they pretend you know that they've, it's some brilliant investigation.

LEHNER: Well, what I'm trying to get at is, you had the, an agreement with Hanes and with Huie that Hanes was going to give Huie certain things and prior to the trial Huie was going to publish certain things. Was this, was this an agreement that you Hanes and Huie had? That you would tell things to Hanes and Hanes would tell certain things to Huie, and Huie would publish certain things prior to the trial? Was that an agreement that you had?

RAY: Well, I had everything in contracts. I've got all these contracts but I'm not sure, what the agreement was. The oral agreement was like I say, I wouldn't tell Huie too much about April the 4th because I think that would have been compromising the case. It was some mention about publishing certain things, certain things before the trial but I was never given any details just what would be published. I didn't even know, know what magazine or anything they'd been published in.

LEHNER: What was your understanding as to what Huie was going to do with the material that he was supplied by Hanes?

RAY: Well, I assumed he was going to write a book with it at one time or another.

LEHNER: And that would be after the trial, the book?

RAY: Yes. I assumed that. Yes.

LEHNER: What did you assume that Huie was going to write and have published prior to the trial?

RAY: Well, that was all sort of vague. I really didn't, I wasn't, Hanes never did confide in me too much in that area. He would, well even the criminal area as far as that goes, he usually just asked me questions and that was it

But I didn't, I didn't, the first thing I knew that something was going to be published was, that was published. Was one of the officers who was guarding me brought a copy of Look magazine in the cell and, and ---

Well, no, see the first time Hanes brought a copy of Look magazine and then the second story the officer brought me a copy of it, and he said something about, he wanted to know if I wanted to buy it, and I said no, and ---

LEHNER: Wasn't there some type of discussion between you and Hanes whereby some of these matters about you was going to be published before the trial to get you some good publicity to counter the bad publicity that was being emminated in the press?

RAY: Hanes had mentioned that but he never did mention

no details. He never did mention the name of the magazine or anything. But I, I had some recollection that something was going to be published but just how and when I didn't know until I, you know, the magazine came out.

LEHNER: How did you get for instance to Huie, the story about the white sheet? How did that get to Huie?

RAY: Well, that was one of the three things that I mentioned that, that, like giving false information. Well, he was pressing me for some details about my actions on that particular day and I told him, I said, well just tell him that I was in the car and somebody with a white sheet jumped in the car and we took off. This was really kind of a put on. On account of he was making statements around town about the Klu Klux Klan. And I said well just tell him anything and he said well all right. And he came back, and he sent Art Hanes back the next day and he said well, he didn't want anything, he wanted the facts or something like that. And that was, that was about it.

LEHNER: Did you write out that story, the white sheet story?

A. No, I don't think -- I didn't, I didn't write out anything false except in -- The only actual false story I ever wrote out for him was the escape and the, and the -- I believe that was all.

If I would tell him something that wasn't accurate, try to put him on, or something, you know, try to tell him something that wasn't really wasn't his concern I would just send it out through Hanes or something.

LEHNER: You mean Hanes, Jr?

RAY: Hanes, Sr.

LEHNER: Senior.

RAY: Really Hanes Jr. didn't have too much to do with the case. He just brings messages in from Hanes, Sr. and Huie. But that would be -- That would be about the --

LEHNER: Well, you said you had three things you purposely misrepresented to Huie. One would be the escape from the Missouri State Prison -

RAY: Yes.

LEHNER: -which you say you put in writing.

RAY: Yes.

LEHNER: Two would be the supermarket robbery.

RAY: Yes.

LEHNER: And three would be the white sheet story?

RAY: Yes.

LEHNER: And you say the white sheet story and, and the supermarket - the supermarket robbery you never wrote out?

RAY: No I never wrote that out. That, that was something to be used in defense. The escape from Missouri as far as I was concerned had nothing to do with, with, you know defense and the crime.

LEHNER: Did you assume that Huie was going to publish that white sheet story?

RAY: Ah, no, I think it was considered a put on. Arthur Hanes, Sr., testified in the Habeas Corpus in Memphis that he considered it sort of a put on. So I guess he told Huie that it was more or less a joke or something. And then Huie told

Art Hanes, Sr. and then the story come back to me.

LEHNER: Well, did you tell Hanes, Hanes Sr. the real story of what happened just before the shooting of where you were?

RAY: No, we didn't go into that. What we did on this investigation was that Hanes -- Actually we never did talk too much, me and Hanes, we'd write out everything. Actually what he did, he hired, he hired an investigator to investigate everything in the Memphis area on that particular day and Hanes would come back to me and cross examine me, was you here and was you here and that. And up until the trial date me and Hanes started having trouble about September or October and I was still cooperating with him to a certain extent, and of course this was more or less a matter of record, the trouble with the letters back and forth. The more -- The defense more or less from Hanes point of view was going to be his, what he found out through witnesses rather than what I testified to. Now he told me, the stuff I had wrote out here would indicate that there was never any intention to put me on trial, on the stand. But it was my intentions if there was a trial even with Hanes or later Foreman, just take the stand and tell whatever I knew about it and then that would be it and there wouldn't be no possibility of the FBI or somebody getting to witnesses or let the prosecution get their story to conform to mine or something like that. And that was more or less the defense I had envisioned on.

LEHNER: Were you speaking to members of your family during

this time, from the time of your apprehension to the time that, for instance, you hired Foreman, were you speaking to members of your family?

RAY: Yes, that's correct.

LEHNER: Which members of your family were you speaking to?

RAY: Ah, I saw two of them. My brother John Ray and Jerry Ray.

LEHNER: Did you talk to them about the facts in the case?

RAY: No. That would have been impossible. I give them some, I gave Jerry some information to check on one time.

What we -- What we'd do, we'd have to talk through a plate glass window, and have the small screen about this thick (indicates with hands approximately six inches large). And all this stuff in here was, was microphones in the cell and everything. So, you couldn't, you could talk to any one about the facts of the case or anything that would incriminate you. Well we talked about Huie and things like that. And I gave him the name one time to get a phone number on him. I just wrote down on paper and held it up to the glass and he copied it off.

LEHNER: What kind -- What would that be about? What phone number was that?

RAY: Well that was the Thompson phone number.

LEHNER: Who's Thompson?

RAY: Ah, the Baton Rouge number.

LEHNER: Oh, the Baton Rouge number that turned out to be registered to a fellow by the name of Thompson?

RAY: That's correct.

LEHNER: Who did -- Who did you show that to, which brother?

RAY: Ah, Jerry Ray.

about?

LEHNER: When was that/ Do you remember what month that was in?

RAY: Ah, no, that would have been, see I've got that, I've got that wrote down somewhere, but this is bad about trying to remember all these things and you speculate on a date, ah, I can't remember just what date it was. I'm trying to think whether it was Foreman defending me or Hanes defending me. Well, later on I gave it, I gave -- I never did give it to Hanes. I did give it to Foreman but I can't, I can't, I'm not going to get pinned down when I gave it because I got it wrote down and when I do testify about it why I will have it.

LEHNER: But you never spoke to Jerry Ray or your brother Jack Ray pertaining to what your defense was going to be or matters of that, of that nature?

RAY: No, No, nothing like that.

LEHNER: Did they do any investigating for you?

RAY: Well Jerry Ray -- See I, when I had this phone number on the street, I remembered the name, but I for fot the number. Of course it really wasn't, if I wanted to give it to Foreman I could have just gave him the name. But I wanted to get the number. So I got the number and later on I gave it to Foreman. But he came up, he's denied it, he's got two other numbers somewhere. But anyway, that's only thing I ever talked to Jerry Ray about. The only thing I ever talked to John Ray

about, he came up there one time, John came up I think, ah, two or three days before the guilty plea and he said the FBI was trying to put my father in the penitentiary for escaping from Iowa or something. And then one other time Jerry come up there, I think this was in early March, he had just been to see William Bradford Huie. He said Huie offered him a certain amount of money if I wouldn't take the witness stand, and he said, I know I forget the amount of money, it's either 12,000 or 7,000 and he said I needed another attorney or something, and I told him it was too late to get any attorney because it was, I think it was November the 2d or 3d then, and trial was suppose to start November 10th, so apparently he, then he went on an fot Foreman on his own. But that's the only, them's the only two areas, three areas that I can think of right now where I ever spoke to them about any aspects of the case.

LEHNER: Um, who else did you speak to other than your attorneys and your two brothers from the time of your apprehension until, to the time of the guilty plea, let's say?

RAY: In the cell block? Ah, well, see my two brothers, the Rev. James Bevel, and another black preacher called Rufferford. I talked to those and I talked to them about 10 or 15 minutes and they wanted to be co-counsel or something and ---

LEHNER: What did you say to that?

RAY: I told them it was up to Foreman. I don't think Bevel had a license, I don't think he can practice. But I wrote him a letter and told him I appreciate any help he could

give me, but I, now, I really wasn't too, I don't know what his interests were or anything like that. I think the letter is part of the record now.

LEHNER: Well as far as your, where you were at the time of the assassination did you have anybody working on that aspect of the case for you?

RAY: Well when Percy Foreman come in the case, ah, I worked, I'm - I'm - I'd rather read this to you but I'm just going to let you ask the questions so, if there's anything else -- Well, later on we can go into it, if it's all right. When Percy Foreman came in the case -- I have to explain the background in order to show ^{you} how they investigated the case. When he came in the case he had the contracts when he first come to see me, and we discussed it, and decided to get Hanes out and him in. And he made certain agreements where there wouldn't be no book writings and he'd hire a Tennessee attorney an all that type of think. Well now, now that was November 10th or 11th, 10th. Now, I think the 11th he came up there and I signed over the Mustang and the rifle and all that stuff to him and I told him the rifle probably wasn't mine, but he wanted that for a retainer fee, plus I promised him a \$150,000 or something. Well, now that ended it until I think December 18th, and I think on December the 18th he came and saw me and he -- I asked him at that time was he interested in me telling the facts of the case as I knew them, and that type of thing. And he said, no. He said, its his method whenever he worked on a case to not to listen to anything the Defendant had to

say until he looked at the prosecution's side of the case, and he later testified to this too. And so, I never did go into any details of the case with him until about, I'd say about February the 3d, probably February the 4th of 1969.

LEHNER: Well, other than your attorneys did you have anybody working -- Well let me just rephrase that. Did you have anybody, at any time, between your arrest and your guilty plea working on the, your defense as to where you were at the time of the crime?

RAY: Ah, no. Hanes was working on it, but he was working on it based on what he found out other places. I can't think of anyone that -- Apparently Hanes had a pretty good defense laid out. I have seen the record, but when Foreman came into the case; see he had, he had the Public Defender come in and start working on the case. But see, it's difficult for me just to explain this just in isolated incidents, because I didn't want the Public Defender on the case to start with, and he got in on some kind of a sham. But he didn't, the Public Defender didn't start investigating the case until, he talked to the first witness February 3d or 4th. And now Foreman he's testified now in these papers here that I agreed to plead guilty orally in January 26th or 27th. So, this really don't make sense when you try, you know, for me to try to explain something to you without going through the whole thing, because it's just, there's been so much lying and everything in the record that you have to, you know, review the whole record before you can ever, get a, get a handle on it.

LEHNER: Well, what I'm trying to understand is was there anybody interviewing witnesses as to your defense, as to where you were at the time of the crime, did you have anybody doing that?

RAY: The Public Defender came up there, Foreman got sick
and he was appointed. I think January 29th - 19th. And he
came up there, I told him I didn't want to talk to him about the defense or anything else because I thought the Judge was going to try to get the Public Defender in the case and Foreman out. So the Public Defender went on out, now, now he testified that he started interviewing witnesses about where I was at on February the 3d or 4th. Now who all he interviewed, according to the Public Defender he was interview witnesses when he read the paper that I was going to plead guilty, so apparently, apparently there was no investigation ever, was ever made until he was still investigating the case, in other words when Foreman made the deal to enter the guilty plea.

LEHNER: When Hanes represented you was anybody, was anybody investigating where you were at the time of the crime on the defense side, anybody?

RAY: See, I doubt that very much. See, I wrote to -- when I got -- started having trouble with Hanes in Spetember or October 1960 - 60 - '68, I wrote a letter to William Bradford Huie, I think it's in his book. I wrote a letter to Huie and asked him to give my brother, I think it was \$1250 to hire an investigator because I wanted to look into some of this aspects of the case myself without, you know, independent of Huie.

And I think Huie wanted to go for it, but Hanes wouldn't go for it, or something because he wanted the money or something. So, as far as the investigation goes where I was at during, during the time of the crime and all that Hanes, Hanes was making that investigation on his own

LEHNER: What was he doing in that respect?

RAY: Hanes?

LEHNER: Yes.

RAY: Ah, he never would tell me about it. The only thing, the only reason, the first time I knew anything about it that he was doing this on his own with a private investigator was, the private investigator got arrested for contempt of court or something and I read in the paper, and I asked Hanes about it, and he said well he's my investigator.

LEHNER: Is that Renfro Hayes you are talking about?

RAY: Yes, that's the first one.

LEHNER: Did you have any contact with Renfro Hayes?

RAY: No. I never spoke to him.

LEHNER: Did you ever send any notes to him or he send any notes to you?

RAY: No. I didn't even know he was on the case until I read in the paper where he had been arrested.

LEHNER: You had, afterwards you had written some note to him, didn't you afterwards when he was suing to be paid?

RAY: Yes. I wrote him one letter I think after I got to prison or something and that was it.

LEHNER: And that was pertaining to his seeking to get

paid for his services?

RAY: Well, yeah. He won a \$9,000 judgment off me in court.

LEHNER: You were intending to testify at the trial when Hanes was representing you. You were intending to take the stand, is that true?

RAY: Yeah, I think most all of the evidence would indicate that. I know Huie's book, he's got Hanes on page 179 telling me I couldn't testify and Foreman on pages 195 saying that I couldn't testify with him defending me and -- Now, some interrogatories in a civil case that's where I fired, I sued Hanes and Foreman. Now Huie says I wrote him a letter and said I wouldn't take the witness stand, that's the civil case number 69199. But I never wrote him no letter saying I wouldn't take the witness stand. In fact, I, I wanted to take the witness stand.

LEHNER: You, you were intending at your trial to take the witness stand when you, when Hanes was representing you --

RAY: Yes, see --

LEHNER: Is that True?

RAY: Yes. The argument was -- Yes, the argument was that I had a criminal record and I'd hurt myself. But everyone in Memphis knew that I had a criminal record so it was no --

LEHNER: So you were, you were intending to let the prosecution put on their case?

RAY: Yes.

LEHNER: Let Hanes try to do whatever he can in cross-examination --

RAY: That's correct.

LEHNER: --to destroy the people's case? And then you were intending to take the stand in your own defense, is that correct?

RAY: That's correct, yes.

LEHNER: Did you tell Hanes that this was your plan?

RAY: Yes.

LEHNER: What did He say about it?

RAY: He said once about, you know, why give testimony away when you can sell it.

He made that remark once and then I got to arguing with him about it and then he seemed to modify his views. And, but he never did, he never did come out and say I would testify. But now I didn't think he would let me testify when he -- You know, when my brother went to see Huie and come back with the story that, you know, it would ruin his book if I testified from the witness stand. But now on the other hand a couple days before I dismissed Hanes, Hanes told me to get everything in my head to what I did on the day of the crime and everything, and just think about it in case I had to testify about it in court. So, I don't know if Hanes was just trying to con me into thinking I was going to testify or what, but--

LEHNER: Let me backtrack just a bit, when did you first retain Hanes?

RAY: Ah, it's wrote down here, I think I wrote to him sometime in June 1968.

LEHNER: You were in London at the time?

RAY: That's correct. Yes.

LEHNER: And did you speak to your attorney Mr. Michael Eugene about your U.S. representation?

RAY: I spoke to him about Hanes and F. Lee Bailey, yes.

LEHNER: Did you give any other names besides Hanes and F. Lee Bailey?

RAY: That's the only two attorneys, I knew their names plus their home address, yes.

LEHNER: Did you mention any other U.S. attorneys?

RAY: No, that's it.

LEHNER: What about Melvin Belli, did you mention him?

RAY: I never heard of him or Percy Foreman either one at that time.

LEHNER: So while you were in London you had never heard of either Melvin Belli or Percy Foreman?

RAY: I had a vague idea but I don't, I din't -- Belli, I'm positive I never heard of him. I may have vaguely heard of Foreman. I think I had some kind of recollection of hearing about Foreman, probably the Moslem case, but I didn't know enough about him where I could write to him or I didn't know where his home town or anything like that was at. My brother, he wrote telling me something about him too.

LEHNER: And what was the reason you wanted F. Lee Bailey or Arthur Hanes?

RAY: I didn't particularly want either one of them, I just, I really, I didn't want no attorney at all at that time. I wanted, I think when I wrote to Hanes, I - I - I indicated that I wanted an attorney when I got to Memphis because I

didn't want to, you know, get a series of oral statements against me, and a lot of times when you are in jail without a lawyer why, you know, they'll say well you said this and that. And Hanes was, he tried to fly back on the plane, things like that where he could keep these oral statements out of the record and the fact is I wrote my brother and told him to give Hanes enough money to, you know, come to Memphis when I arrived there and things like that.

LEHNER: Well, how did you come upon the two names F. Lee Bailey and Arthur Hanes?

RAY: Well, I guess; I guess I -- I'm not sure how I came on either one of their names but it stuck in my mind somewhere that I knew what town they were in and I knew there names and I probably seen Hanes' name when I was in Birmingham. I lived there about two months. I probably seen him on TV or something.

LEHNER: And relation to what?

RAY: I couldn't say about that. I think he was politics or something. He's probably, you know how they talk on TV.

LEHNER: When were you in Birmingham when you, when you saw him on TV?

RAY: I don't know if I did or not. I don't know, I have no -- I have no idea how I come across Hanes' name or Bailey's either one as far as that goes. I probably heard of Bailey's on the on some -- Didn't he repre-- He represented some case in Boston, a train robbery or something, a bank robbery or something.

LEHNER: And you heard of Hanes you say when you were in Birmingham some time?

RAY: I could have. I have no --

LEHNER: What year were you in Birmingham?

RAY: I was there in '67, I believe it was, September, August or September I guess.

LEHNER: And did you know about Hanes' previous trials?

RAY: I didn't have any idea. I've read about them since, and I've read about the big case where I was suppose to heard about him or something, but I think I was at the penitentiary at that time. So, I know now I couldn't of remember him from being in the penitentiary because there was no TV's in the penitentiary.

LEHNER: Well, you read newpapers in Missouri State didn't you?

RAY: Very seldom.

Ah, Missouri Penitentiary was somewhat like being on Devil's Island, you didn't keep up with all the latest news and everything. There was no T.-- / ^{I know I've} read where these TV's, where I use to watch TV and get all carried away but there was no TV's or radios in there or anything. And I spent a lot of time in solitary confinement, 18 months and you wasn't even aloud a newspaper in solitary confinement. So --

LEHNER: Was that because of the attempted escape, that solitary?

RAY: Yes. For the three of them.

LEHNER: You say while you were in Missouri State there was no radios and no TV?

RAY: They had an ear phone with channel 6 news, mutual news

on -- I heard two news casters for six years. I think one, his name is Edwards and one was named Fulton Lewis. I can remember two names but that was, that was the extent of the news in Missouri.

LEHNER: Then you had no radio while you were there?

RAY: In 1966 they started selling radios in the commissary, these small transistors and I got one of them in 1966, and I still have it.

LEHNER: You still have that same radio?

RAY: Yes.

LEHNER: How did that come about that you still have that?

RAY: I think the FBI representative, they got the number off of it and traced me down through that radio. Well, of course, the truth is that I told them it was my radio and it was my number on there. But the number is on plastic and I sandpapered it off so it's impossible to, to get the number off of it. So, I think after I plead guilty the prosecution they give various evidence, I guess it would be harmful to their case, to my brother, my brother still has the radio. You can have it if you want it.

LEHNER: Jerry has the radio?

RAY: He has the radio, yes. I told him to keep it.

LEHNER: Was this the radio that was found in front of Canipe's?

RAY: I think it was. I'm not positive, but --

LEHNER: This is the radio that you brought in to that rooming house on Main Street?

RAY: That's correct, yes.

LEHNER: Well, as far as F. Lee Bailey and Hanes did you give their names to Michael Eugene or did you contact them yourself?

RAY: I believe I gave them to Michael Eugene and he took them to the American Embassy because I know he come back and he was against, he said the Embassy was against hiring Hanes, so, therefore, must have been, so he probably got the addresses from the Embassy. Because I couldn't know the street address and things like that.

LEHNER: You mean the Emba--- The American Embassy was telling Mr. Eugene who you should hire for your defense attorney?

RAY: Yes. I think they wanted to get one. And he came back and he said that they recommended, this was after Bailey turned it down, and he said the Embassy recommended against getting Hanes and they thought I should let them appoint someone or something. And I think -- Well, you can talk to Eugene about that, but ---

LEHNER: The Embassy told you, Mr. Eugene that since Bailey is not available that you should not get Hanes and that they would recommend someone to you?

RAY: I don't think -- I think at that -- By that time Bailey had been unavailable. I don't know if Eugene talked to -- told them about Bailey or not, but he did tell me that they recommended against Hanes and --

LEHNER: Did you get a letter from Bailey?

RAY: No.

LEHNER: How did you get to learn that Bailey was unavailable?

RAY: Ah, Eugene told me he was.

LEHNER: Did he tell you what Bailey had stated?

RAY: I think there was a conflict of interest. I believe he was, at one time he had represented Dr. King and he said that -- I don't know. There was some conflict of interest, I don't know just specifically what it was.

LEHNER: Did Bailey state to Mr. Eugene that he would not be able to represent you unless you were able to undertake that you were innocent of the charges since he was friendly with Dr. King?

RAY: No. He never did say that. I was never told that. I read, I read that subsequently in magazines and things, but he never, there was never any representation made to me along those lines. It was just something about a conflict of interest.

LEHNER: Nothing about Bailey asking you to undertake that you were innocent?

RAY: No, nothing like that, no.

LEHNER: Well, how did you hear about whether Hanes would represent you or not, was that through Mr. Eugene or otherwise?

RAY: Ah, yes, I think Hanes wrote me a letter. I think Eugene first come back and said something about money or something, and then in the meantime Hanes had contacted Huie and he wrote back and told me he would take the case and I think I wrote to Hanes first, I got the address from Eugene. I wrote him and asked him if he would meet me in Memphis. I don't think I asked Hanes specifically to represent me, just to meet me in Memphis and then he wrote me back I guess after he saw Huie and said he would

take the case and later I gave him the letters back and that was it.

LEHNER: The reason you wanted Hanes is that you say, you seem to indicate, that you recollect in 1967 when you were in Birmingham that you knew Hanes was in politics?

RAY: I might have saw him on TV or something like that. I just don't -- I don't recall exactly how come I knew he was in that specific town but it must have happened sometime in Birmingham, I could have read something about it in the paper.

LEHNER: Well didn't you have to know more than he was in politics, you had to know that he was a lawyer first?

RAY: Well, it might not have even been politics it might have been he was a lawyer or something cause I had it in my head that he was a lawyer for some reason.

LEHNER: Didn't you have to also know when you were in London that not only was he a lawyer but he was a criminal lawyer?

RAY: Well, I don't know if the criminal lawyer would have been specific.

I was more or less interested in someone to keep an oral statement against me. That's what my concern was. The fact is, I think I sent affidavit to J. Edgar Hoover, Ramsey Clark, and two or three others saying I wouldn't make no oral statements when I was on the plane and when I got to Memphis and that was my ---

LEHNER: Well, when you asked for F. Lee Bailey and Arthur Hanes to Mr. Eugene weren't you indicating that those were people that you wanted to defend you at your trial?

RAY: No. Not necessarily. I wanted to, I would have preferred to have talked to them before they defended me to see what their idea was on the -- Of course there was a matter of fees and everything.

LEHNER: Oh, sure. You mean that you would have to talk to them and they --

RAY: Yes.

LEHNER: --would have to be agreeable to you and you would have to be agreeable to them, sure.

RAY: Yes.

LEHNER: I understand that, but when you mention those names wasn't it because you envisioned either of them representing you at the trial?

RAY: No. Not necessarily, not at that time. No.

LEHNER: Well, you knew that F. Lee Bailey was a famed criminal lawyer, did you not?

RAY: Yeah, but you can't just make, go into, you just can't write the lawyer and say well, I want you to defend me. You'd have to reach some kind of an agreement when I went ---

LEHNER: Now look what I'm getting at, James, is this, that when you asked for F. Lee Bailey as one of your defense lawyers, it wasn't just that you heard that F. Lee Bailey was good at corporation law or tax law you know that he was a famed criminal lawyer.

RAY: Yeah, I heard that he was a, I assumed he was a criminal lawyer but I just can't get all these details in my mind where I found his name at and all that stuff.

LEHNER: All right, but when you asked for Mr. Hanes as an alternative lawyer you knew that he was a famed criminal lawyer too, isn't that true?

RAY: I probably assumed he was a lawyer, I didn't know specifically if he was a criminal lawyer. It -- I just can't pin down where, where I got these names at. I got so many of these aliases and things they come and go.

LEHNER: You were fighting extradition in London were you not?

RAY: That's correct.

LEHNER: And what was the reason you fought extradition?

RAY: Well, of course, the main reason was to keep from being extradicted. I wasn't, ah, you talking about the legal reasons or the instinctive reasons?

LEHNER: Give them all if you can.

RAY: Well, I don't know about, about the extradition. I really didn't know too much about extradition law at the time, the fact is, I didn't know anything about it. If there was anyway I could get out of going to trial and staying out of jail I would do it. So, naturally I would fight extradition. It wouldn't have any bearing whether I was guilty or innocent or what.

LEHNER: And you were going under what name during the extradition hearing?

RAY: Ah, Sneyd I believe, Raymond Sneyd.

LEHNER: Why was it that you weren't giving your right name at the time?

RAY: Ah, I had a passport under, I was arrested under the name Sneyd. I think that's what they checked me in the jail.

Usually when you check in a prisoner usually you always use the name you give them. It wasn't no specific reason why I was using that name.

LEHNER: When you were communicating with Hanes what name were you using?

RAY: I don't know, I -- I -- I think I told him, I think I was using the, probably the Ray name, but we have a contract here, we had Ray and Sneyd on it. So, I may have discussed this with Hanes a little bit too but there wasn't no significance in it, it was just the idea that I was arrested under that one name and I was relying on --

LEHNER: Isn't it true when, when you communicate with Hanes that you were using the name Sneyd also?

RAY: Yes. I may have, I think I -- I've read these contracts last night and I see both names on them, Sneyd and Ray, so --

LEHNER: I'm not getting into contracts, I'm getting into whether ---

RAY: Well, I'm trying to use them to recollect what I put on the letters. I, I may have well of used Sneyd on the letters

LEHNER: Why were you using Sneyd instead of Ray when you were trying to retain your own defense attorney?

RAY: Well, I suspect, it probably had something to do with the extradition hearing. I wasn't conceding anything at the extradition hearing and I don't -- I don't know -- I'm not sure when I conceded the Ray, my name was actually Ray, I don't know if I ever conceded it at all.

LEHNER: Why, why were you not conceding that you were James Earl Ray?

RAY: Well, I think if I was fighting extradition I would make them prove everything, that would be my thought on something like that.

LEHNER: Why were you fight extradition?

RAY: To keep from coming to the United States.

LEHNER: Why did you want not to come to the United States?

RAY: Well, there'd be a trial, I'd be charged with -- Assuming the, at the most murder and at the least escape from Missouri Penitentiary, and 20 or 30 other charges probably, I assumed at the time, although I know now that under the extradition hearing you are sort of limited.

LEHNER: Why did you not appeal the unfavorable ruling you got at the extradition hearing?

RAY: It was two reasons for that. One was Hanes recommended that I come on back and stand trial. And the other reason was that I was fighting the case under , and the english courts they have some commission, over there they have to approve all these and they wouldn't approve the appeal, and consequently I couldn't hire a lawyer to fight the appeal. So I just --

LEHNER: Who has to approve the appeal for, for, so that you would then be able to get a free lawyer?

RAY: Well the lawyer rep-- The lawyer that represented me, Michael Eugene, said there was a commission. I think it

was threeor four people sits on a, sits on a commission, and in order for you to make any appeal or anything or even to defend you at trial this commission has got to approve, they have got to approve the funds to pay the lawyer with, and they wouldn't approve them on me, so even if Hanes had told me to go to trial I don't know if I could have appealed it or not because I don't know anything about english law.

LEHNER: Okay.

Why don't we take a little break, give our stenographer a chance to rest his hands and we will all take a stretch, okay.

(A recess was taken at 11:16).

LEHNER: Okay, lets just, before we -- We were just chitcatting during the recess as to, huh, the waiver, the question of waiver of attorneys and that you were going to further talk to Mr. Kershaw about it over the lunch period, and then also I think you just stated that you had some matters you wanted to bring up to us that maybe you will start the post-lunch session with those matters.

Let me just state for the record that my watch has now 11:23 and the same people are here in the room that were here during the first session this morning.

Is there something that you were saying that I just cut you off on, or is that something that we can take up after lunch, I'm not sure?

RAY: Well, no. I just told you I wanted to go over some

LEHNER: Okay. Why don't we do that as first thing after lunch that will be the itinerary.

RAY: As most everything I write down I try to corroborate it. There is no use to me testifying to something if there's no facts supporting me, so that's --

LEHNER: Okay. We were, ah, before the -- Just at the break we were talking about your being in London, your representation by Mr. Eugene, your representation, your request for representation by Mr. Hanes, Mr. Bailey, um, and the fact that you waived your appeal on the extradition. I think you stated that-- You were stating that there was difficult in, there would be difficult in getting a free attorney for the appeal process?

RAY: Yes.

LEHNER: But you also told us, I think, that on the advice of Mr. Hanes you did not appeal the unfavorable extradition rulling.

RAY: I think if there were two things happened, if Hanes was, suggested that I fought it then I would have tried to make some, some, well the fact is, if he wanted me to fight, well he probably would got an English attorney to fight it. But on the other hand the English government would of financed the appeal then I would of went on and appealed it. But neither one of those things came about so I just went ahead and waived it.

LEHNER: What was Hanes' reason for not appealing the extradition rulling?

RAY: Well, I guess he had some contracts with Huie by that time. I couldn't say. I don't --

LEHNER: Did he give you some reason?

RAY: Ah, he said come back and get it cleared up or something like that.

LEHNER: Well does this refresh your recollection, did he tell you something to the effect that it would look better to an American jury that you were ready willing and able to come on back and face the charges, and it would be unfavorable if it looked like you, like you were trying to avoid the charges to the jury?

RAY: I don't think the jury would have any -- That wouldn't even been -- The jury wouldn't know anything about that. I don't think the prosecution would bring that up.

LEHNER: No. No, I don't mean in the trial, but in the publicity part of it?

RAY: No. I think he said, well we done fought extradition part of the way anyway. So, I think he said something about it might look better if we came back and faced the charges, but I don't think you can make statements about a jury would think I looked better if we came back.

LEHNER: It would be better publicity in general if you did not appeal it?

RAY: Yes. I think that.

LEHNER: And you went along with his suggestion on that score?

RAY: Well, I went along with his suggestions on account of the, the, like I say if I could of gotten either one of them to go with the appeal I would have went with it. But --

LEHNER: If you could have gotten free, free appeal you

would have taken it nevertheless?

RAY: I would have taken it, yes.

HAUSMAN: Um, who told you that you wouldn't be able to get the free appeal from the English?

RAY: Ah, Michael Eugene.

HAUSMAN: At that time what was your financial situation?

RAY: Well, I had about 120 or 30 dollars.

HAUSMAN: Did he explain to you what it would ment if you were a pauper in their terms, that they would have provided free advice?

RAY: Um, well he didn't explain too much about the pauper. I think when I first went to court, I think the court asked me if I was a pauper or something, and I said yes. And from then on it was assumed that I was a pauper. And apparently, I don't know if Eugene talked to Hanes about it or not. I assumed he did talk to Hanes about it and probably Hanes, I'm just assuming now that Hanes advised him to let, let it go.

HAUSMAN: They didn't -- Eugene didn't discuss it with you personally?

RAY: No, he discussed the appeal with me personally, yes. He just said the commission, I think he called it Commission. He just said the commission wouldn't, wouldn't approve the funds to appeal the case with.

HAUSMAN: Well, did he -- Did he explain why he didn't think they would approve it if you only had a \$100 in assets at that time?

RAY: Well, I don't know why he didn't think they would

approve it. I don't know how the commissions work over there. I guess they approve it, I guess it's sort of an arbitrary thing. They can either approve it or disapprove it. I guess if they thought it was a, the public interest to approve it they would of approved it. But if they thought it was the public interest not to approve they wouldn't of approved it.

LEHNER: How did you and Mr. Hanes arrive at the financing of your events?

RAY: Hanes?

LEHNER: Yes.

RAY: When he first came over there, the first or second time, he had me sign a, I got it here -- He had me sign a power of attorney giving him certain -- Do you have all these contracts? Giving me certain, giving him certain rights to sign papers with and everything. And he suggested, he didn't mention at that time when he first give me this power of attorney he didn't suggest that, he didn't go into any details, there was no mention of William Bradford Huie or anything like that. He just asked me to sign it and he made some kind of oblique reference to selling the story or something like that. There was nothing specific either in the contract or in the, or in what he told me.

LEHNER: What was your understanding as to how it was going to be financed?

RAY: I wasn't positive at that time. I didn't know anything about how it would be financed. I know he just had me sign that paper and I signed it Ray and Sneyd and he never, we never -- I never did get a chance to talk to him too much.

There was a, there was two policemen in the room with me and he didn't, he was just, it was more or less just a pep talk rather than any details. The onlything he did, he signed contracts and he had Eugene sign as a witness and I think that was the second time and that was it.

LEHNER: Did you tell --- Did you tell Eugene that money would be raised for you?

RAY: Ah, no, I never did mention any money to Eugene. I read that, but that's just something that come out in the newspapers and the rest of them picks it up and --

LEHNER: So you had no idea how you were going to be able to pay Hanes for the defense?

RAY: No, I wrote and told my brother John Ray to get, try to get Hanes enough money to, a \$1000 or something to come up there and be in Memphis. It was never no mention of big money or anything like that. It was very small amount.

LEHNER: Now, did you speak to Hanes in London?

RAY: Yes.

LEHNER: How many times?

RAY: I believe twice.

LEHNER: Was it agreed in London that you, that he was going to take the case and defend you at trial?

RAY: He talked like it, yeah. He wrote me a letter, he wrote me a letter and /I don't know just when I got the letter but he was very specific about defending me after he got the letter and I guess that's after he talked to Huie.

LEHNER: Well, when did you agree that he would be your

defense lawyer at the trial?

RAY: Ah, he just thought, he just seemed to took over after he come to London. I guess that's after he made the agreement with Huie and he just took it for granite that he was going to be the attorney then and he --

LEHNER: Well, you are telling me that he took for granite, when did you decide that he would be your attorney for the trial?

RAY: Well, I had a vague idea of it in London. Of course, I wasn't specific on it. I think when we finally, we finally come to firm agreements after I got back to Memphis.

LEHNER: So in London it was your impression that you were goin to be represented by him at your trial and then when you got back to Memphis then it was firmly decided by you that he would represent you at the trial?

RAY: Yeah, I would say --

LEHNER: Is that correct?

RAY: Yeah, I would say based on his demeanor, demeanor in London that he was representing me. Of coure it wasn't nothing positive there. And after we got back to Memphis and he talked to me and we discussed the finances then it was pretty well settled that he would defend me.

LEHNER: Now, in London you were pretty sure that he was going to defend you?

RAY: Yes, I was, yeah.

LEHNER: Now, at that time did you know that he was a criminal lawyer?

RAY: Ah, I don't believe I did. That's just something

I assumed I suppose.

LEHNER: When did you learn about his previous cases?

RAY: I probably read about them in the newspapers.

LEHNER: When?

RAY: I, I couldn't say that either.

LEHNER: In London or back in the states?

RAY: No, I was not -- In London when I first went there I was not reading the newspapers then later on I got in them. I only recall reading one story about him, and he came up there and had his picture going into the hotel or something. But I don't think London papers carried anything about his, I think it did carry something about he was the former mayor of Birmingham, but I think that was the extent of it.

LEHNER: When did you read that he, about his previous criminal cases?

RAY: I think I read about that in Memphis then I read considerable about it later on. I read about the woman with the Italian name, Lou - Louisa, or whatever it was, I read about that.

LEHNER: Why, why did you decide in London that he would represent you even though you didn't even know he was a criminal lawyer?

RAY: I really didn't decide that, these are something that - when he wrote me a letter saying he'd defend me I, I assumed he was a, he must be a criminal lawyer if he wrote me a letter saying he would defend me.

LEHNER: Well why did you decide to allow him to defend you in a capital case when you didn't even know he was a criminal

lawyer other than the fact he decided that he would represent you?

RAY: Yeah. There was really no firm commitment on, that he would defend me until we got back to Memphis and started talking about these contracts and we had, he almost didn't represent me after we got back to Memphis because we had, we had a conflict over whether he would try to raise money through some type of public fund or whether we would go in the contracts with Huie. The fact is, I held off about 10 days before I ever signed on the contracts with Huie.

LEHNER: Well who's idea was it to go for the public fund and who's idea was it not to go with the public fund?

RAY: It was my idea to go with the public fund because I heard two or three people wrote to me about it and I thought may be -- It was my suggestion that we get enough money to have a trial and once the trial was over then I'd just let the book writers and lawyers go their way and I'd go mine and they could just do what they wanted to, that is whether I was convicted or whether I was acquitted.

LEHNER: Why did he not want a public fund?

RAY: Well I think Huie probably promised him more money or something. There was considerable money, \$2,000,000 or something was throwed out one time and I assumed he figured he got more money from Huie than he could get from the public fund.

KERSHAW: Let me make an inquiry here if I may.

Did, was Mr. Stoner seeing you at that time?

Did he suggest that he could rase a public fund?

RAY: No, Stoner wrote me a -- Stoner -- No, some committee wrote me a letter in England saying they might raise it from a public fund but I never had no contact with Stoner in England, but -

KERSHAW: How about after you got to Memphis, did Stoner -

RAY: No, he never said anything -- Yeah, but he never said anything about a public fund.

KERSHAW: Did Stoner visit you in the Memphis jail?

RAY: One time, yes.

KERSHAW: One time?

RAY: Yes.

KERSHAW: As you attorney or visitor?

RAY: No, that was about a libel thing. It was pretrial publicity and I was trying to find out ways to get the -- especially Time, Inc. but there was never anything about a public fund or anything.

KERSHAW: What, did he get permission from Judge Battle to visit you in regard to a civil suit then?

RAY: Ah, yes. It was against Life Magazine, yes.

KERSHAW: And he only visited you one time?

RAY: That's correct.

KERSHAW: Was that before you hired Hanes or after you hired Hanes?

RAY: No, that was after.

KERSHAW: That's all.

LEHNER: Did you sign any contracts in London?

RAY: I think I signed a power of attorney.

LEHNER: To Hanes?

RAY: Yes.

LEHNER: And then how long after you got to Memphis was it that you signed the, the next contract?

RAY: I think when I got back to Memphis I saw Hanes the next day. I think I'd gotten back the 19th of July and I saw him the 20th. And that was our discussion on the 20th, just what, how we are going to finance the case, and I suggested the public fund maybe and he was strong on the contracts and he -- excuse me -- he left me the impression it would either be the contracts if he couldn't raise the money for the trial and he left the - so I didn't commit myself one way or the other. So, he left the contracts there and told me to think them over. Then about a week later or something I thought them over and figured that would be about the only available, you know, way of raising money. And I think on -- I think I signed the first contract on August the 1st, 1968.

LEHNER: But you discussed the public fund as opposed to the contract the day after you came back to Memphis?

RAY: Yes, that was our first discussion. Yes.

LEHNER: And the only question was whether you were going to go public fund or the contract?

RAY: The contracts, yeah. He had all the contracts with him at that time.

LEHNER: When did you first read in the papers about his criminal cases?

RAY: I couldn't say. It was probably in Memphis newspapers, but whenever they was I couldn't be, I couldn't be specific.

LEHNER: Well how long after you came back to Memphis was it?

RAY: I really couldn't say about it because I wasn't really too interested in that. It was --

LEHNER: You weren't interested?

RAY: I know usually in newspapers when you get a lawyer they run down all his back cases so I probably --

LEHNER: You are saying that you were not interested in his past cases?

RAY: Well, not at that time. I was -- First things first, I wasn't -- It wouldn't made any difference to me who he defended or who he hadn't defended. I was more or less, whether he was competent and he appeared competent.

LEHNER: You're saying at the time you signed the original power of attorney in London, and the time of, day after you got back to Memphis when you just -- when the only decision left was whether or not to go the contract route or the fund raising route, you still didn't even know if he was a criminal lawyer?

RAY: I - I - No I couldn't prove it. I couldn't even prove it today except what I've -

LEHNER: Well you still didn't even hear that he was a criminal lawyer?

RAY: No, I didn't. I didn't - I just, that's just an assumption I would make.

LEHNER: And all you knew about him was that he was a politician and a former mayor of Birmingham, and that he was a lawyer?

RAY: I think I knew about as much about Hanes when I

hired him as I knew about Percy Foreman when I got him. I'm just, a vague recollection of him and that was it.

LEHNER: Well, didn't you know when you hired Percy Foreman that he was a famed criminal lawyer from Texas, and he had a reputation for acquitting vast amounts of murder defendants?

RAY: No. I had no direct knowledge. I had a vague recollection of when my brother first wrote to me in England that he -- Probably the Moslem case. Bailey is the only one I ever knew about because Bailey, they talked about him in prison. But I never heard any talk about Hanes or Foreman or any of them people.

LEHNER: Are you sure?

RAY: It's a possibility that Jerry, Jerry, now he may have told me something about Foreman being, having a reputation, or John, but I have no independent recollection. But actually Foreman the only reputation he had was the, outside of Texas was the Moslem case, and that would have probably been the only one that I would have vaguely remembered him by?

LEHNER: Are you sure about this now, that the time you were in London and the time that you, the day after you came back to Memphis and you are discussing contracts as opposed to fund raising that you didn't even know whether or not Hanes was a criminal lawyer? Is that true?

RAY: That's just something that I would assume, but I really wouldn't know.

LEHNER: Why did you assume it?

RAY: Well, he was just a lawyer. I don't know. It's just something, I think it's just something you know.

LEHNER: Okay. Let's move on -- Go ahead.

EVANS: Let's get into the public fund. You said when you were in London that you heard from two or three people relative to their wanting to support you and raise funds?

RAY: Yes.

EVANS: Do you recall who those people were or what groups they were?

RAY: Ah, all of these letters -- I never got one letter where I was in London, they use to divert the letters to Michael Eugene. Now, he came up there with one letter where the public fund was from some, it wasn't Stoner but it was some organization that he was connected with it. It was called the Patriotic Fund. And that's the only -- I think Eugene mentioned other people or something where interested in helping me, other lawyers, but you'd have to -- you'd probably have to get to Eugene to get those.

EVANS: Okay. But that's the only one that you can remember?

RAY: That's the only one I can recall. Yes.

EVANS: Okay. When you returned to Memphis when you were brought back -- When you were brought to Memphis, when did you first see Stoner?

RAY: Ah, it was quite a while later on I think it would be about September.

EVANS: And this was after you had already made the decision to sign the contract with Huie?

RAY: Yes.

EVANS: All right. Did Stoner discuss with you public funds?

How did he get there, how did he get there? Did- You say he was representing you on the Life, on a suit you had wanted to pursue against Life Magazine?

RAY: I wanted to try to do, to do, file some type of suit to, you know, get - stop the pretrial publicity. I wouldn't try to win a libel suit. I figured if you filed suit you would force the judge to take some type of action, because the judge wouldn't move against any big organization he just move against local attorneys. I figured if we, you sue one of, sue one of, one of them it would force the judge into some type of action. I wrote to- Now Hanes didn't want to do that so the only attorney I knew was Stoner because he sent that letter -- he didn't send it to me but the letter said that he represented them, and I remember his address so I wrote --

EVANS: This is the letter you are speaking of?

RAY: The public fund, yes..

EVANS: The public fund, right.

RAY: The public - See Michael Eugene give me this letter in court. I read it over his shoulder in one of the hearings. And he said that, you know, it went down there and said Stoner was the lawyer and the fund had an address and I think it was Savannah, Georgia. So, when I got back to Memphis and I was trying to get this pretrial publicity stopped and I decided to write to Stoner, because I had never heard of Stoner before except this Patriotic Fund and I wrote to him about the Life thing and he come back up there, and I talked to him about - well, they have - they have a record of how long I talked to him in jail.

They kept those records. I think I talked to him about 20 minutes and I asked him - I didn't talk to him about the criminal case at all and I asked him about the Life thing, and he said he might file it from Atlanta. And he had me sign a paper/^{saying} that he could represent me in a suit against Life magazine and that was the extent of the conversation.

EVANS: Was there ever any conversation between you and Hanes as to whether J. B. Stoner should take part in your defense?

RAY: Ah, I talked to Hanes once I think about possibly getting him, getting money off him through a fund or something. But Hanes said he was against it and he told me Stoner had bad publicity on account of his race, the race issue. And then I wrote Huie saying - then later on after I found out about this I wrote Huie saying that Hanes was probably right and I should, that Stoner was involved in these race politics, you know it'd reflect on me and the defense. And that was -- there was no more, there was no further contact with Stoner on that.

EVANS: All right. Did you know, or to your knowledge, did Stoner ever represent anybody in your family, any member of your family in any criminal case or any matter prior to this?

RAY: No. No one in my family or me ever heard of Stoner, although he did represent someone in my family for a shooting after the, after the conviction.

LEHNER: That would been Jerry?

RAY: Well see, after I - After I entered the guilty plea the FBI was harrassing Jerry. I think they was trying to frame him for a bunch of robberies. So he came to - he told me about several times they kept questioning him about various robberies

and his girl friend. And I told him, well, I said -- I said you should go down there to Stoner or somewhere because he'll give you a job. I think Stoner offered him a job. I said because that way you'll have a witness if they try to say you robbe something and you were somewhere else. So I think he went down there and stayed about a year and a half. And during the time he was down there somebody tried to burglarize his place and he shot the guy and he got acquitted. I think the guy was Amer--, member of the American Nazi Party or something. That was - That was the extent of that.

HAUSMAN: And you said they were harrassing Jerry after your guilty plea?

RAY: The FBI was, yes. I think he lost his job one time on account of it. I think -- Well, later on my brother got arrested for robbery with the FBI so I just -- It was really my advice when he went to Stoner.

HAUSMAN: All right. Was Jerry or any other member of your family ever tell you or did you hear that they were being har- rassed before your gility plea by the FBI or anybody else?

RAY: Well, during that time my sister, I think the FBI burg- larized her house, and John Ray they finally give him 18 years for aiding and abetting a bank robbery.

LEHNER: That's after the guilty plea?

RAY: Yeah, but -- Well, this harrassment didn't stop it's still going on now I guess.

HAUSMAN: Well, I'm talking about before you went to your guilty plea, did it ever come to your attention that the

FBI was harrassing members of your family?

RAY: Well they went and told John Ray if I didn't enter a guilty plea that they might arrest my father. He'd escaped from Iowa four years before and send him back up there to do a five year sentence. But I don't know if, I don't know if there's too much overt, overt threats at that time. But it was more or less when they questioned John or Jerry, or something they would tell them something about, I think what they were going to do.

HAUSMAN: Do to them or do to you?

RAY: Well, do to my father or do to -- I think they told John on time not to come see me. I just don't know what it was all about. You'd probably have to question them about it.

LEHNER: But this didn't play any part in your, in your, in your accepting the guilty plea did it?

RAY: I think some of it might have.

LEHNER: What might have?

RAY: Well, you really can't just pick out one instance and say how come you entered the guilty plea, there's a lot of things.

LEHNER: What might of -- What might of entered into it pertaining to family?

RAY: Well, I think the threat against my father may have had a little bit to do with it. But none of these things taken alone would have -- It's like -- It's like the appeal in England, just one instance, one thing wouldn't make me enter a guilty plea, it's a series of things.

LEHNER: Well, that would be the only thing then that came to your attention prior to the guilty plea pertaining to possible harrassment of family was that of your father, is that right?

RAY: Yeah, I think, well Foreman, Percy Foreman said Jerry, they might arrest him on the conspiracy thing because they might alleged that he bought the rifle. I think -- I think they -- I think that the person that sold the rifle said, described Jerry instead of me. And I did, when I purchased the rifle I did mention my brother-in-law. I didn't mention my brother but they had twisted around saying my brother. So, I think those would probably be the only two instances of any type of harrassment against family members would be Jerry and my father would be it.

LEHNER: And Jerry, you got that from Foreman you say?

RAY: Yeah, he mentioned that, that it would be, if he didn't get the case cleared up with me, a guilty plea, they might bring, Jerry might be arrested for some type of a conspiracy.

LEHNER: You mean Jerry would be arrested after the trial?

RAY: No, before the guilty plea.

LEHNER: Well, you were about to go to trial they hadn't arrested him at the time that Hanes was representing you, you are just about to go to trial then you fired Hanes just a couple of days before the trial, right?

RAY: Yes.

LEHNER: Jerry hadn't been arrested then. You mean that Hanes indicated that Jerry was going to be arrested before the trial if you went to trial in, in, in say March?

RAY: I don't know what --

LEHNER: Did Foreman indicate to you that Jerry would be arrested before the trial? You were just about--

RAY: Yeah, they might--

LEHNER: --to go to trial and they hadn't arrested him all the way to then?

LEHNER: Well this was in February he told me. Of course, Foreman could of been lying. Now, the FBI may not of had no intention of arresting him at all. I'm just telling you, you know, what he told me. The only ah, ah --

LEHNER: Did he tell you that an FBI agent told him that?

RAY: No. He just said, he was just talking and he don't really come out and say anything definite. He talks in circles, and he said that, he was telling me about -- well, the FBI might arrest your brother if we don't get this case cleared up, or something of that sort.

LEHNER: So you were concerned a little about your brother when you took the guilty plea?

RAY: Well, yeah, that was one of the -- like I say that's not the major thing but that's just one thing that, you know, fit into the --

LEHNER: If that's the case -- when during the guilty plea -- when they, when both Canale and Foreman indicated that there was no conspiracy why didn't you disagree with that and take issue with it since you were trying to, ah, um, protect Jerry to an extent by faking it?

RAY: Well let me say this. Now I wouldn't -- I wouldn't go

like that. But on this thing you are talking about how come I objected about the conspiracy and things -

LEHNER: Yeah, in view of the fact that you're also, you are concerned about Jerry being implicated?

RAY: Yeah, well now I'm -- On March the 9th is when we finall finalized the guilty plea, me and Percy Foreman, March the 9th, 1969. We signed, we signed two contracts and we made all these oral agreements and past agreements and all that. He would get a \$150,000 and he'd go down and we'd enter a guilty plea, and I'd get \$500 back and he, he'd give me \$500 and Jerry would get the \$500 and we'd get another attorney and I'd try to get the case open on exculpatory evidence. Now there was no -- the only impression he gave me, he was just going to plead me guilty and that was it. At the time that we entered the guilty plea, now he started talking about he was, he was really took up with what I thought the prosecutor was suppose to, you know, present their arguments. I assumed the prosecutor would try to make a good state of the case but Foreman he started talking about he agreed with Canale and he agreed with, that's the Attorney General, and he agreed J. Edgar Hoover, and he agreed with Ramsey Clark and that was just too -- I didn't want to plead guilty anyway. I thought he was going too far, I just couldn't go that far with him.

LEHNER: And so you said you did not agree with his statement and Canale's statement and Hoover's statement pertaining to no conspiracy?

RAY: That's correct.

LEHNER: What if Judge battle was then going to say to you,

Well, Mr. Ray, what do you mean by that, you don't agree with them that there was no conspiracy, what was the conspiracy, what would you have answered to Judge Battle at that time?

RAY: If he had put me on the witness stand?

LEHNER: You're not on the witness stand you are there before him and you say you don't agree about the no conspiracy statements of the two counsel, and what if Judge Battle was to say, Okay, Mr. Ray what do you mean by that, what conspiracy was there?

RAY: Well, I would just - I would of explained, it was my intention to explain two things to him. First thing I would have went through all those contracts we had with Foreman, and Foreman had told him previously we wasn't going to get involved in any contracts. But what, I would of, I would have responded to whatever the Judge asked me. If he'd asked me what do you know about this, well I probably would just told him what I knew about it and that would have been it.

LEHNER: Well, what if he said this, Mr. Ray you just said you disagree with Mr. Foreman and Mr. Canale pertaining to no conspiracy, what conspiracy was there that you are referring to Mr. Ray,

RAY: See, I don't really know how far the judge would of went, I mean --

LEHNER: Say the judge said just what I said. Say I'm Judge, I'm Judge Battle, Mr. Ray you are disagreeing about the no conspiracy statements just made here, what was the conspiracy that you were referring to?

RAY: Well, I would just run down on my testimoney what I would knew and what I've since testified to. I couldn't --

LEHNER: What would you have said?

RAY: Well, we've had -- Well, well say he asked me -- Well, the first place I don't use the word conspiracy anyway because I'm never involved with more than one person. But I would just try, I would just explained it to him what I've previously told Foreman in private and --

LEHNER: Namely what?

RAY: Well, I would, I didn't think I would just give him the whole story everything I did from the time I escaped from Missouri until I got arrested. I'd probably told him one thing and that would lead to another question.

LEHNER: Well, what would you have told him?

RAY: I would probably-

LEHNER: Say, say as I, as I just did to you, I said to you - say I'm Judge Battle, what do you mean by disagreeing with this no conspiracy statement? What was the conspiracy that was involved Mr. Ray?

RAY: Well I think I very well of told him that I Hadn't shot Martin Luther King and he -- And I think that's why he would of never asked me that question because then that would of lead to another question and --

LEHNER: You would have said you did not shoot Martin Luther King?

RAY: I think if he, if he would start talking about the conspiracy I wouldn't - I probably wouldn't of told him that first. I would of probably told him about the, my other associations, but I think that --

LEHNER: What do you mean by that?

RAY: Well, the other associations that I have on the street.

KERSHAW: Raoul?

RAY: Well, those questions, and that, I remember that and -

LEHNER: Well see, see if you can put yourself back in that spot you were, you took issue with Canale and Foreman's statements that there was no conspiracy, Judge Battle says to you, Mr. Ray what did you mean by objecting to those statements, what was the conspiracy, what would you have then said to the Judge?

RAY: I don't think -- I don't think he would of had to ask me something specific. If he'd just asked a general question I'd just said that, I would just said there was, I thought there was and that would have been it.

LEHNER: You would have said there was?

KERSHAW: Say Judge Battle -

RAY: Huh?

KERSHAW: You play Judge Battle and ask him, ask him something specific.

LEHNER: Okay. What do you mean by disagreeing with the no conspiracy statements? What would you say to that?

RAY: Well --

LEHNER: What, what was the conspiracy?

RAY: Well, I would of said based on my associations they -- it probably would have been a conspiracy.

LEHNER: What do you mean by that?

RAY: Well, I, I don't know. Those would have been -- I think if you asked a question like that it would took about two

or three days of testimony to get around to it. I don't think you could really start -- that's the hard thing about starting in the middle of anything and going from, you know, starting in the middle and going both directions at once.

KERSHAW: Excuse me. Excuse me just a minute. Let me play Judge Battle. Were you in Memphis alone?

RAY: No.

KERSHAW: Were you with other people?

RAY: That's correct.

KERSHAW: Who were they?

RAY: Well, that's the Raoul and various --

KERSHAW: And whenever Raoul, was Raoul with anybody else? Did Raoul refer to being with anybody else?

RAY: I don't know.

KERSHAW: Did he refer to meeting with anybody else?

RAY: Yes.

KERSHAW: About what?

RAY: Well, guns and that type of --

KERSHAW: What do you mean, what about guns?

RAY: Well, this whole, it's difficult just to pick up and --

KERSHAW: Yeah, did Raoul have any plans to sell guns to somebody?

RAY: Yes. I was under the impression he was.

KERSHAW: And had he employed you in this deal?

RAY: That's correct.

KERSHAW: Ah, did you shoot King?

RAY: No.

KERSHAW: Did --

RAY: You see, now look, let's stop --

KERSHAW: Did you meet other people, did you meet other people in the rooming house, Mrs. Brewer's Rooming House?

RAY: No, I didn't. - No, I didn't meet anyone else in the rooming house.

KERSHAW: Did Raoul come and visit you in the rooming house?

RAY: That's correct.

KERSHAW: Well, then you did meet Raoul in the rooming house?

RAY: Yes.

KERSHAW: Did you leave the rooming house anytime that afternoon?

RAY: Yes.

KERSHAW: Did you leave Raoul in the rooming house?

RAY: I left the rooming house four or five times at least.

KERSHAW: All right, and so far as you knew every time that you, you left the rooming house why Raoul remained in the rooming house?

RAY: That's correct.

KERSHAW: Okay. And when you came back to the rooming house what happened? -

Wait till that thing rehitches. Okay you can go ahead it don't make any difference we got another one going.

When you came back to the rooming house did you, the last time what happened?

RAY: Well the last time I came back there I got the car, but --

KERSHAW: I mean when you drove back, did you drive back to the rooming house with the car were you, what, what happened that made you not go back into the rooming house?

RAY: Well, that was the police in the area. Well, see the thing is on this Judge Battle thing, it's, that would have been, that would been a difficult question. I see, I can understand why the Judge would never ask me those questions. Because these agreements were made the night before and the agreement on the, whether I did or did not do the shooting that was put down on kind of an ambiguous fashion in the, in the voir dire and it's just ,you know, difficult/to pick up in the middle of something and go, go from a conspiracy on into that. But I think if the Judge had of put me on the witness stand or something we would of got to it. But these kind of things, these things here are, they are sort of perverted, the whole thing. Because you can't just, you got some kind of an agreement and then you go down there and try to get out of it some way. It's difficult to do.

KERSHAW: Did you agree to plead guilty, ah, to murder in the first degree as explained to you by your lawyer or did you agree to plead guilty to pulling the trigger and shooting the gun?

RAY: Well, as I say that's ambiguous language in there. I just don't know what he's got wrote down there, I believe it's first degree.

KERSHAW: Here's what Judge Battle -- Here's what Judge Battle said, is this what you agreed to in the voir dire? Judge: "Are

you pleading guilty to murder in the first degree in this case because you killed Dr. Martin Luther King under such circumstances that it would make you legally guilty of murder in the first degree under the law explained to you by your lawyer?"

Do you remember what you answered?

RAY: I guess it was yes.

KERSHAW: Well, your answer here is recorded, if it's correct, as being "Yes, Legally, yes."

Now when you made the agreement the night before is that what you agreed to?

RAY: I don't think -- No, I don't think that was read off to me the night before. I think we talked about contracts the night before.

KERSHAW: Who is we?

RAY: Foreman.

LEHNER: You -- I'm sorry.

KERSHAW: You mean that you didn't -

RAY: I don't -

KERSHAW: Did you understand that you were pleading guilty to what you considered to be, what you have described to me as a technical plea of guilty?

RAY: Well, I assume that's what it was.

KERSHAW: What do you conceive to be a technical plea of guilty as being opposed to a non-technical plea of guilty?

RAY: Well, I think a technical plea of guilty is where you are involved in it whether you did it or not, but whether you actually committed the crime. But, these things really, I don't really consider them any significance. I think anybody can

read these records and see that there's fraud in the guilty plea. I think the only significance is whether I'm guilty of the crime or not. Because any idiot can read these records and see that there's been perjury and everything else committee in there.

LEHNER: What you are saying in essence now, are you not, Mr. Ray, that you would have withdrawn your guilty plea and gone to trial if the Judge had asked you a question, what do you mean by disagreeing with the no conspiracy statements?

RAY: Yes. I think the first thing I would -- I know the first thing out when he asked me that, I, I usually don't always answer questions direct anyway. I know the first thing I went into was those contracts because that concerned me more than the other business, because I thought that was fraud there and then we would of probably got into conspiracy and things like that when he started being more specific on the questions.

LEHNER: What, what I'm trying to understand is, that you're saying that you would have withdrawn your guilty plea and go to trial if the Judge just asked you that one question, what do you mean by disagreeing with those no conspiracy statements, and yet because the Judge doesn't ask you that question you go through with a guilty plea and accept a 99 year sentence? Can you explain that to us?

RAY: Why I accepceted a 99 year sentence?

LEHNER: You say that if the Judge asked you the question, what do you mean by disagreeing with Mr. Canale and Mr. Foreman about there not being a conspiracy, if he would have asked you

that question you would have gone into the whole Raoul account that you have just given to Mr. Kershaw here and you would then withdrawn your guilty plea because what you would be telling the Judge is that you were not guilty and you would have had to go to trial? And yet because he didn't ask you that question you went ahead and accepted a 99 year sentence and a guilty plea? Can you explain how that decision was made, and it was dependent upon whether the judge asked you that one question or not?

RAY: Well, I think if he would have asked me I would have told him that I thought - I thought there was a conspiracy. But, see you have to look at the whole transcript there. When I raised those questions the judge didn't have, have a chance to ask me any questions. Percy Foreman cut in and said, he took over there, he said, in effect he told me to shut up. He said that the, that I didn't have to agree with anything and so and so, and all that. But I think that's in the record. But I think the judge, I think I would have agreed to, I would have probably told the judge that I thought there was a conspiracy and then he'd had to ask me the next question. But I don't think you or I, either one can anticipate what the, what the next question is going to be or what my answer was going to be.

LEHNER: What I'm getting at, in reading over the transcript of the guilty plea it's very clear that you were not someone who was mute standing there scared. You, when you heard the District Attorney General make a statement, when you heard Mr. Foreman make a statement you didn't just stand there mute you took issue with it, and you told the judge you disagreed. Nobody asked you

about that, you volunteered, and at that statement that you disagreed with both counsel. Now, that indicates, I would think, that you were aware of everything that was happening and you decided to take issue when you saw it appropriate to take issue. My question is, since you were alert, since you were aware of what was going on, since you decided that you could speak whenever you wished to, nobody told you to shut up, why didn't you then volunteer "Hey, I'm not guilty, there was a conspiracy."? Why was it dependent upon Judge Battle asking you that question for that to come out and for you to withdrawn your guilty plea? Why didn't you withdraw it right then?

RAY: Well, I wasn't really interested in withdrawing the guilty plea because I was in -- I thought it was an untenable position there. I think the contracts speak for themselves on the, when I signed the day before the guilty plea they specified that if you don't plead guilty certain things are going to come about if you say something in the courtroom. I really wasn't trying to get out of the guilty plea I was trying to get rid of Foreman and I didn't want him to, you know, to over step his bounds on the agreement we had the night before that.

LEHNER: What was your purpose in pleading guilty?

RAY: My main purpose in entering the guilty plea to get -- to get rid of Foreman, I would say was the, would be the main reason to get rid of him.

LEHNER: It was your intention at the time you took the guilty plea that you were going to try to withdraw it?

RAY: Well, I have, I found a letter here in my, my brother

brought down, I think this here would, I gave him this the same day I entered the guilty plea and I think that --

LEHNER: Could we see that?

KERSHAW: Show, show him that.

RAY: Huh.

LEHNER: Could we see it?

RAY: I just found this letter, he gave it to me, I'll try to explain it. It wasn't, I wasn't introduced in Habeas Corpus Hearing in 1974 because I don't think, I told my brother to give all this stuff to Jim Lesar, but I think he missed this one. Well, this -- Well anyway on the day of the guilty plea, March the 10th of 1969 one of the Deputy Sheriffs or something, or the Sheriff told me that, he told me indirectly that after I entered the guilty plea that he would let me see my brother in the bull pen. In other words inside the cell with me, whereas, before he was standing outside. So when my brother came in there I gave him this letter. I wanted him to get another attorney to reopen the case. And, I'll just go ahead and read the letter if you want me, you want me to read the letter?

LEHNER: Please.

RAY: Ah, now I'll have to explain a little background on the letter. When Hanes was defending me it was Hanes theory that either communist or the CIA does everything, and being it wasn't the CIA it must of been the communist. So he'd asked me several questions about communist several times and I got thinking maybe he was correct. Well, anyway, here's the letter I wrote to Jerry. This would be a couple of hours after the guilty plea on,

it's dated March 10th, 1968. It says:

"Dear Jerry, here's what I would like for you to do if I don't get to see you for a while."

Now this was right after the guilty plea so I didn't know where I was going, whether I was going to Nashville or Petros.

I'll go ahead and read to you. It says:

"After you find out where I am going, go to New Orleans and see that guy.."

Now the guy I'm talking about is just the guy that is suppose to be the expert on the communism. I think Jack know him. What did say his name was, Jack?

KERSHAW: Mary, what's the name of our big red headed friend and his wife who ran the Independent American Newspaper?

MRS. KERSHAW: Ah, Cort -

RAY: Cortney wasn't it?

MRS. KERSHAW: Cortney, yeah. Cortney.

KERSHAW: Cortney.

RAY: Cortney. I said -- Well I said -- I'm going to -- I said:

"...after you find out where I'm going, go to New Orleans and see that guy", that's Cortney. I said, "... I would make an appointment first besides getting all those numbers. Ask him if he knows a reliable attorney, but you will have to wait and see where I'm going before you ask him his advice on the attorney, as I want one from the town closest to me. Then send Stoner \$100 and tell him to file the libel suit against Life and to see me if he can. If I was you I would take a train down

there as it's a long drive, that's about all. James Earl Ray" This is the -- so, I think that would indicate that I wasn't really, ah, freely entered the guilty plea.

LEHNER: When was that written now?

RAY: Well this was written about two or three hours after I, after I entered the guilty plea. Now, I don't know I read somewhere where you can, this Howard Hughes will is where you can run some kind of a test to find out if the ink is a certain amount of years old.

LEHNER: Could I see what you wrote? What was your intent in writing this letter?

RAY: Well get another attorney and, you know, attempt to reopen the case after I got rid of Foreman.

LEHNER: When did you first decide to enter the guilty plea?

RAY: Ah, I don't think, there was no firm decision made until about March 9th, the day before the plea. That's when we signed the contracts.

LEHNER: What contracts did you sign?

RAY: There were two contracts specifying that he would get a hundred and fifty thousand dollars from Huie and I would get \$500 to give to Jerry.

LEHNER: Well didn't you sign some type of stipulations for the prosecution as to the, as to your guilt?

RAY: We started arguing about these stipulations I'd say sometime in late February.

LEHNER: And when did you sign that stipulation?

RAY: The first one?

LEHNER: Yes.

RAY: Ah, the first stipulation, I think there were 56 stipulations. Well what I did was sign those stipulations.

LEHNER: When.

RAY: They were, they were negotiating stipulations, and I signed them, I think every page, and I think he signed them and then the stipulations that I disagreed with he made a check mark with a pencil.

LEHNER: What did you, when did you sign the first stipulations?

RAY: When we started negotiating that would probably be late February and then he would come back and say well, I think the first stipulations he agreed to take out, he had something in there about Wallace, George Wallace. And he said that, I think, I think William Bradford Huie wanted that stipulation in. I think he agreed to take it out and that was one of the first ones and then later on other stipulations come out. I think altogether we went back three or four times, three or four different sets of different stipulations. Now all the time I was still trying to get him to enter a guilty-- you know, go to trial during this period. I think, now the last stipulations I think we signed just a couple days before the guilty plea and I think they were the voir dire. Now later on when I sued Foreman in civil court, now he came up with - what he apparently must done, he must of wrote, he must of erased these checked marks off because when he filed the, when I sued him in Federal Court he come up with the first 56 stipulations and then the Criminal Court I wrote and got them stipulations and they had one over there with 55 stipulations, and apparently there was a couple more

sets. So, I don't know where they are at. Look here on the, on this letter, do you think you could take this letter and send it back to me or a duplicate copy. It's the only copy I have, I don't know, it's been in a car trunk and shawls -- So, I don't know --

EVANS: Maybe we can get it done here?

LEHNER: Maybe we could have it copied right here and give it to you?

RAY: Give me the copy?

LEHNER: Yes -- Give you the original right here if you want?

RAY: Well, I think I'd rather have you have the original in case it got lost.

LEHNER: Okay, fine, okay.

RAY: If it's necessary to authenticate it or something.

LEHNER: Well, you signed the first set of stipulations you think sometime in February? When in February?

been

RAY: It probably / in the latter part of February.

LEHNER: And how many paragraphs were in that stipulation?

RAY: The first one, 50, I believe there were 56.

LEHNER: Now you signed every page and signed in the end?

RAY: I think I just initialed there or something.

LEHNER: Initialed every page and then signed at the end?

RAY: Yes.

LEHNER: And how many of them did you disagree with?

RAY: There were numerous ones on there.

LEHNER: Which ones did you disagree with?

RAY: I couldn't specify any special ones, ah, I would say

the majority of them, some of them were outright, some of them I could prove false and some of them I couldn't.

LEHNER: Well you signed it despite the fact you disagreed with some of them?

RAY: Ah, they were signed when, I signed them, he wanted me to sign them to my best recollection so he could take them back to the prosecuting attorney and show him that I signed them and indicate which ones that I disagreed with.

LEHNER: And then what happened after you did that?

RAY: Well he'd bring back another copy and, and it would be arguing about that and that type of --

LEHNER: And then what did you do with your next copy?

RAY: Well, there be more check marks on them and he'd come back and we'd argue about them and then we'd argue about going to trial and that type of conversation.

LEHNER: Well did you sign any further ones after signing the first stipulation? Did you sign any further -

RAY: I believe I initialed all of them every time he'd bring some up there indicating, I think what his story was that he wanted the Attorney General to know that I was seeing the stipulations and were --

LEHNER: I give you this, these pages, let's count how many pages we have here. It's 1, 2, 3, 4, 5, 6 and I ask you to take a look at this.

KERSHAW: Let me look at it.

(Interview is interrupted by Warden Lane)

EVANS: What, do you want to go off tape now, Jack?

RAY: No, that's --

EVANS: Okay, Bob Lehner has just left the room to confer with the Warden. We are going off tape, it's now 12:19.

Okay, it's now 12:19 and a half and we are back on tape. Mr. Lehner has just returned to the room.

LEHNER: Yes, I just stepped out, Warden Lane had asked to see me for a second.

KERSHAW: About something important like lunch maybe, Bob?

LEHNER: Mr. Ray do you recognize those papers?

RAY: Yes.

LEHNER: Are those your initials on the bottom of each page and at the end of the entire --

RAY: Yes, that's it, I'm pretty sure it is.

LEHNER: Now what is this exhibit?

RAY: Exhibit? It looks like 117.

LEHNER: Yeah, now what, what does that represent? What is on this exhibit?

RAY: Proposed Stipulations as to Material Facts.

LEHNER: And when did you see this?

RAY: That would probably be late, late February. Well, this, I believe this is the second set. I think I saw this one maybe a little bit later.

LEHNER: Now what -- Which one of those paragraphs did you tell Mr. Foreman that you disagreed with?

RAY: Probably most of them I would say.

LEHNER: Why don't you go down each one and tell us which number?

RAY: All right.

LEHNER: Give us the number.

RAY: Let's see, I'd say the first one would be 17 and probably 19 because I couldn't be sure of it, 24, probably 30, 31, 34, the reason I mention 34, ah, around February 5th or 6th or something Foreman asked me to write out complete details of, of where I was at from the time I escaped until the time I was arrested, which I did. And I think he mentioned something about the State didn't have no evidence that I was ever in the rooming house and just leave that, leave that off of what I wrote out. And I believe I did. I think that's the only thing that I ever left out of anything I told Foreman and of course that was on his request.

LEHNER: You wanted 34 out even though as you are telling us it's true, right?

RAY: Yes. Because there was never any -- The was no, there wasn't no settlement on entering a guilty plea at this time. In fact I wasn't even interested in a plea at this time.

LEHNER: What was the reason that you wanted 34 out?

RAY: Well he done he, previously he had suggested that around, I think, I'd say around February the 4th that he asked me to write everything out from the time I escaped until my arrest in London. And he suggested to just leave the rooming house business out becasue he said there was no evidence that I was ever in the rooming house, which I guess there wasn't.

So --

LEHNER: Who said that, who said there was no evidence?

RAY: Foreman.

LEHNER: So you then told him that you wanted 34 out?

RAY: Yes, I think I did. Yes, I think that's one of them I left out.

LEHNER: Even though you are telling us though that 34 is true?

RAY: Yes, that's correct, yes.

LEHNER: And you wanted it out because Foreman had told you that there was no evidence that the prosecution had --

RAY: Yes, at that time.

LEHNER: I mean is that the reason you wanted it out?

RAY: Yes.

LEHNER: You didn't want to supply them with something that they didn't have?

RAY: Yes, that's correct.

LEHNER: Okay, go ahead.

RAY: And the other ones, the other ones I mentioned to you are false anyway.

LEHNER: Which ones are false, the other ones you mentioned?

RAY: Probably 36, I probably told them that was false.

37, I probably told him that was false.

LEHNER: Is 36 false?

RAY: Yes, 36 and 37.

LEHNER: Why is 36 false?

RAY: It's my recollection that when I parked the car I didn't move it. After I parked it I left it there and there was never any driving back and forth. It's my recollection I parked it almost in front of the restaurant, that John Jower's place because I know I went in there two or three times, I'm pretty sure I did. It's just from recollection.

LEHNER: Which other ones?

RAY: 39, I would of, I would have told -- I would have left that one, yeah, I would have left that one in. 40, that's correct. And I think I, I don't know right now but I know I told him to leave more than just what I've told you right now. There was -- There was not only some of these things were false but it was more or less and evasive tactic because I was trying to work into the guilty plea.

LEHNER: Okay. Any others after 38 that you told him to take out?

RAY: Well, I, I, I know I would - I know I told him to take those out but I can't, some of these others like I say if they were just evasive tactics and I can't -

LEHNER: Well, continue reading and see if there is anything you think you told him to take out?

KERSHAW: Just take your time.

RAY: I think 56. I think what I would of told him to take out would be things that would, would compromise me if I'd ever went to trial. And I think, 56, I know -- I know the main things on here is the, is the shooting, but I was, that seemed to be the main thing that would concern the averaged person. But I was also, I was more concerned about these, ah, these things that they were trying to distort for some reason, especially 30 and 31.

LEHNER: All right. Now, you just mention -

RAY: 31.

LEHNER: Did you mention 56 just now or not?

RAY: 31, huh? Yes.

LEHNER: 56, you would have told him to take out?

RAY: Yes.

LEHNER: Okay, any other?

That's the last one.

All right, why don't we just go over the ones that you mentioned, if I can? Start with 17, 17 you say you is, was, you would have told him to take out because it was false?

RAY: Ah, well it was half false, yes.

LEHNER: Which part is true and which part is false?

RAY: Well, I have to give you the whole rundown of the whole thing if you wanted to-

LEHNER: Well if you could?

RAY: I just can't go in the midle of these things and explain them, because it don't sound right.

LEHNER: Well, if you could, whatever, whatever you could do to explain it now.

RAY: Well on the Charles Stine, I mentioned first I met Maritta Stine there, no, Mary Martin. She worked in a bar. She had a boy friend in the penitentiary and she just talked about how to get him out all the time. So, I think she mentioned politics once and I said something about I would take her to register and she went - I think I knew this registering place because I bought some tires there for the car. And I guess they register Wallace plus I guess anyone can register there. Anyway, I took her down there and she registered, and the next day her and Stein they went, I went to New Orleans with them,

or a couple days later anyway or something. Then later on she came back and she wanted to know more about getting her boy friend out. I think he was doing five years for selling marijuana. Now, I think I advised her then to register with a major political party and I think she registered Republican, I know she showed me a piece paper, but thing thing her, the reson I objected to it, it was trying to, you know, indicate that I was hooked up with some political organization which it was false, and -

LEHNER: Okay.

RAY: Later on I found out that William Bradford Huie and Wallace was having some kind of a sham battle and Huie wanted it in the -

LEHNER: So what you are saying is false here is that you didn't take them to Wallace headquarters for the purpose of registration for Wallace?

RAY: I didn't know who they registered for. I took them down there, and I didn't go in the, go down there myself. I went to the-

LEHNER: Okay. The next one that you said you asked to take out was 19 and that, what was the purpose that you wanted 19 out?

RAY: Well, I just didn't know if that won would be correct or not.

LEHNER: What part didn't you know was correct or not?

RAY: Well, I mean I wouldn't want to omit something and not know specifically whether it was right or not. I didn't know if I left any -- Let, I'm really not accused of doing anything here except having a zipper bag. I'm not accused of,

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you know, planting the bag there or anything like that, it just -

HAUSMAN: 19?

RAY: 20.

LEHNER: I thought we were on 19?

HAUSMAN: 19.

RAY: Eric Galt used a lot -- Well, I don't know if that's -- See I don't know if that's correct or not.

LEHNER: Well, why don't you -- Which one did you ask to have out, 19 or 20?

RAY: Well, I would have, I would have probably asked 19 out.

LEHNER: Why 19?

RAY: Well, I don't like to walk in any mine fields, I really don't know what, I don't know if I ever used the laundry or not.

LEHNER: Oh, you didn't recall the name of "Abbalon".

RAY: No, no.

LEHNER: Okay. Now the next one you told us is 24.

RAY: 20.

LEHNER: What's that?

RAY: Did I mention 20?

LEHNER: No, do you want to mention 20 now?

RAY: Yes, I'm pretty sure I would have took that one out.

LEHNER: Why is that?

RAY: Well it's just kind of ambiguous. It really doesn't accuse me of anything, but there is a zipper bag or something.

It doesn't accuse, in other words it doesn't accuse me of putting, you know, planting it in front of Canipe's. But it doesn't say, there's an inference there.

LEHNER: Well 24 is the next one that you wanted out.

RAY: Yeah.

LEHNER: Why would you want that out?

RAY: I'm not positive that maybe true but I'm not positive. I know I did execute a change of address there one time. I'm not sure I executed it, executed it for Georgia although I might have because I, I think I had information I was going there beforehand. But I did execute a change of address one time from, in Los Angeles from one address to another so I just, I wouldn't, I wouldn't be positive about that.

LEHNER: You had information that you were going where beforehand?

RAY: Ah, Ah, Georgia.

LEHNER: When did you have that information?

RAY: From, I think it was a letter. But --

LEHNER: A letter, when? When did you get this letter?

RAY: Well, I don't know. I got it wrote down, but I'm not going into these dates now, I think it was pretty close to the time I left there.

LEHNER: Didn't you tell us when we talked about this in our previous interviews that you went to New Orleans and that New Orleans is when you heard that he had left already, Raoul had left, and he wanted to meet you in Birmingham?

RAY: Yeah, that's correct.

LEHNER: And you met him in Birmingham at noon and you were a little late and hour late or so and that he didn't even want to let you have anything to eat, and he said he had to go directly to Atlanta?

RAY: Yes, that's correct.

LEHNER: And that's the first time you were going to, you knew you were going to Georgia, isn't that what you told them?

RAY: I don't know if I told you that or not. I, the thing is, I'm testifying on 10 years and that's why I'm not getting any more of that deals.

LEHNER: Well, let me ask you, is that, is that recollection - that is my recollection of what you said.

RAY: Now, see, I could look back in my, I can look back in letters I wrote seven or eight years ago and find out just what happened but when I start, now that's why I'm talking about, getting into these tricky questions. Now I have a recollection of filing a change of address, but I don't know if I filed one or two.

LEHNER: Well what I'm getting at now, is that previously you told us that the first time you knew you were going to Atlanta or going to Georgia was when you were in Birmingham and you met Raoul at 12 noon, he said, look we got to rush you can't even have anything to eat, now as you sit there is there something that you recollect where you did know you were going to Atlanta prior to seeing the Raoul in Birmingham?

KERSHAW: Could we halt a moment?

LEHNER: Sure.

KERSHAW: Okay.

LEHNER: Okay. As you -- I'll rephrase that question.

As you sit there now is there some indication that you did, you recall something, something to the effect that you did know you were going to Georgia before you met Raoul in Birmingham?

RAY: Ah, You know -- Ah, no, if it's just up to my recollection I would say that I didn't. I didn't -- that I did not execute this change of address, if it was up to my recollection. Because I have some recollection of doing that after I got to Atlanta. But, I don't always trust my recollection any more now, I know -- ah, not on everything. Now, I don't -- I really - I don't - I recall specifically executing one change of address but, ah, if I had to bet money on it oneway on the other, I would say I never changed no address to Atlanta. But I do have some recollection of knowing that I was going there before, before I left California. But, and I have some, like I say, I think my, the best of my recollection, and this is just memory, and I wouldn't testify to it under oath, but I, I didn't execute no change of address from St. Francis to Atlanta.

LEHNER: All right. The next one you have is number 20, ah, number 30. Why would you want 30 out?

RAY: Ah, well of course I'd left, I had left Atlanta three or four days before that.

LEHNER: And the next one you have is 31, why do you want 31 out?

RAY: Well, I was somewhere in Alabama, 30-, April 1st.

LEHNER: 34 you wanted out, what's the reason for wanting
34 out?

KERSHAW: He already explained that.

RAY: Yes I explained that about Foreman.

LEHNER: That you explained was true but you didn't want to give it to them because you didn't know that the prosecution had it.

RAY: Yes.

LEHNER: The next one is 36, you told us about that, that you thought that was incorrect that you, that you thought you had marked, you had parked north of Canipe's, is that correct?

KERSHAW: He said -

RAY: I'm, I'm almost -- I'm almost certain now because I know I, now I know at one time I left the restaurant or tavern and went right straight into the car, I didn't have to, I mean I'd testify to that under oath.

LEHNER: Now 37 you wanted out, why was that?

RAY: Well, that was false.

LEHNER: 38 you wanted out, why was that?

RAY: That was false.

LEHNER: And 56 you wanted out, why was that?

RAY: That was false. No, now that wasn't exactly false, it was, let's see, well I don't know this was, this was something, I wouldn't know if it was false, true or false.

LEHNER: But in -- after all of the going back and forth with Percy Foreman you did finally sign this stipulation with one item crossed out, namely the bottom portion of 17, is that true?

RAY: This is the second, this is the, this is the stipulations he brought me up there the second time. The first time he come out there, when he came there wasn't nothing, there wasn't anything marked out.

LEHNER: Now the bottom portion of 17 is marked out on your copy?

RAY: Yes.

LEHNER: Now when did that get marked out?

RAY: When he took them back to the Attorney General I suppose.

LEHNER: And you had finally agreed to this stipulation with that portion crossed out, is that right?

RAY: Well, he, when he brought me back, when he brought them back up there the second time he told me that the Attorney General had agreed to take the Wallace thing out on account of William Bradford Huie had got put in there or something, or had put in. And then he started arguing about others and, and I think there was a second set, a third, that would have been the third set.

LEHNER: When did you finally agree to this stipulation with that George Wallace portion stricken out?

RAY: Ah, well I agreed to this before it was stricken out, I agreed to, in other words I put my initials on all of these before, before he ever took them back to the Attorney General's office.

LEHNER: Well when did you finally agree to this version, the version that you have in front of you with the George

Wallace portion struck, stricken out?

RAY: When did I agree to that?

LEHNER: Yeah.

RAY: Well, well what I'm trying to say is, these, these were agreed beforehand. I, I initialed these and he made marks on the ones that he wanted to, that I was disagreeing with and took them to the Attorney General.

So, when he -- So after he put the marks on I guess he took them to the Attorney General and then sometime he rubbed the off marks/and he came back and he had the, the 17 stipulation altered. Then we, see these were post stipulations. These weren't, these weren't in the final form.

LEHNER: When did you see this stipulation with the George Wallace portion stricken out?

RAY: Well, probably when he came back the, probably the third time.

LEHNER: And was that, did you then agree to the stipulation with that George Wallace -

RAY: No.

LEHNER: -portion stricken out?

RAY: No, I didn't agree to the stip-- No, we started negotiating on the other 55.

LEHNER: Then what happened?

RAY: Ah, well, it was the same thing again. I'd object to certain ones and he'd make a mark on them and go down to the Attorney General's office.

LEHNER: Well/was the final thing that happened with this

stipulation?

RAY: Well, I think there was at least four stipulations that we argued about. I think the last one we finally settled on was the voir dire. But, now there's three of them in the court records. There's this one and the original, plus the voir dire.

LEHNER: When did you finally agree on it, the stipulation, the final, the final formal stipulation? When did you agree to that?

RAY: Well that would have probably been March the, maybe the 9th, I think it might have been the 9th, the same day of the contracts because he had some document up there the same day he had the contracts.

LEHNER: And was it in the form that it is, that you have now?

RAY: No, it's not even in this form, no.

LEHNER: What form was it in when you agreed to it?

RAY: I think it was -- See, I was under the impression that the judge was going to read these questions off to me at the trial and I would agree to them. And the final ones that I think I did agree to is the ones the judge read off to me at the trial.

KERSHAW: Let me ask you something, if I may here. Did you consider the voir dire the same thing as these stipulations?

RAY: That was my impression that these were, would be --

LEHNER: But you say --

KERSHAW: Did you ever -- Did you ever finally approve of any stipulations or was it that the voir dire that you finally approved?

RAY: See, these things here were never entered in the court record. I wrote, I wrote to the court a year later trying to get these from Blackwell, and these, these were just something that Canal- that Foreman and probably Canale had in their private office.

LEHNER: Well, I thought you said that the day of the contract, which is the 9th, you agreed to the last, the fourth, the fourth version and last version of this stipulation, is that what you just told us?

RAY: Yeah, the voir dire, yes.

LEHNER: Didn't you do that on the 9th, the day of the contract signing?

RAY: Yeah. That's correct, yes.

LEHNER: And you agreed to this stipulation at that time?

RAY: This one here?

LEHNER: Yes.

RAY: No, this was never made a part of the court record.

LEHNER: What -- No, I'm saying on the 9th, the 9th when you signed, when you signed the contract, did you finally agree to the final fourth version of the stipulation?

RAY: Yeah, the voir dire, whatever it is. Yes, I agreed to that. Yes.

KERSHAW: Where is the voir dire?

LEHNER: Was that -- Was that the same thing as this?

RAY: No this—

RAY: No, this was never entered in the court record.

LEHNER: What was the voir dire that you agreed to?

RAY: Well it was more ambiguous than this. It was, it was -- I don't have a copy of it. You may have it, but it was a lot of legal double talk and things like that. And --

LEHNER: So it's your, it's your testimony or your is statement rather here, this/not under oath. It's your statement here that you signed, or rather initialed each one of these pages and the last page even though you disagreed with a lot of the, the, the paragraphs. And you just listed to us those paragraphs starting with 17 and you gave us the numbers that we've just discussed.

RAY: Well, I testified in court that -- Yes, that's what I've testified to, but I've also testified to that based on the position that they had me in that I would have probably, if Foreman had really put the pressure on me, and I had no choice I probably would have had to agreed to all of them. But the only thing I'm saying is that I didn't agree to them and that was -- I think the only reason that came about was the Attorney General wanted the guilty plea so bad.

LEHNER: Well, you know you told us before and in answer to Mr. Kershaw's question that it was more or less a technical plea of guilt. I would like you to read with me number 29. Now this is one that you told us that you did not object to.

"That on March 30th, 1968, Defendant returned above rifle and exchanged it for a .30-06 Springfield caliber Remington rifle, which Defendant subsequently used to

shoot Dr. Martin Luther King and dropped in front of Canipe's shortly after 6 p.m., April 4th, 1968."

Now, isn't that more than just a technical acknowledgment of guilt?

RAY: Did I -- Didn't I object to that a while ago?

LEHNER: No.

RAY: Well, I would have. Maybe my glasses are getting bad.

LEHNER: Well have you ever testified anywhere including the habeas corpus that you ever objected to number 29?

RAY: Ah, yes. I think I -- Yeah, I know I did.

LEHNER: You know that in the habeas corpus you testified that you objected to number 29?

RAY: Unless I overlooked it. I mean, they give you these papers and they are usually in a hurry for you to read them.

LEHNER: Well did you have much time to prepare for the, for the habeas corpus testimony?

RAY: No, even the attorneys didn't. They were sleeping and --

LEHNER: When was your habeas corpus testimony?

RAY: Ah, '74.

LEHNER: You had thought about this case from 19 -- at least about the guilty plea from, from it's inception in '69 until '74, you had pleanty of time to think about this, right?

RAY: I thought about it? I'd be in a lunatic asylum if I thought about this case 24 hours a day.

LEHNER: I'm saying -- I'm sure you didn't think of it 24 hours a day. But I'm, but isn't it certain that you had enough time to think about it, enough time to go over all these matters?

RAY: Usually, usually -- Usually in a lot of these documents a, I have, there's probably a bushel basket of these documents, and I don't, I'm really not even interested any more. The only reason I'm interested in them is when, like when you are coming down here why I'll review them and try to catch up on them. But I have no interest in trying to remember all these things. I think what you'd have to do on these is look at the records. There's one set of these in the Federal court in Memphis. There's another in the Criminal court, and I think Judge Battle has another one.

LEHNER: Well, I have now 20 minutes to one, maybe this is an appropriate time for us to take out lunch break, and --

KERSHAW: All right, and before you do -

LEHNER: Before, why don't you ask, put some things on the record.

KERSHAW: Yes. Could I have this copy?

LEHNER: Sure. What we will do is make a xerox of that as well as the letter that James gave us.

KERSHAW: Well could you read back to me the ones that Mr. Ray said that he was --

LEHNER: Said that he disagreed with Mr. Foreman about?

KERSHAW: Yes.

LEHNER: 17, 19, 20, 24, 30, 31 -

KERSHAW: Wait a minute, 30, 31.

LEHNER: 34.

RAY: 29.

KERSHAW: 29, he decided he would later on -

LEHNER: Well I'm giving you the list that he gave me then we will get into what was said afterwards.

KERSHAW: All right.

LEHNER: I'll start again, 17, 19, 20, 24, 30, 31, 34, 36, 37, 38, 56, and then after that I asked him pertaining to 39.

KERSHAW: 29.

LEHNER: 29, I'm sorry.

KERSHAW: All right, okay.

LEHNER: Okay, it's now 12:42 and we will recess now for lunch.

(Recess was taken at 12:42, p.m. for lunch.)

LEHNER: It's now 1:31, um, and we are resuming our post-lunch interview with James Earl Ray. The same people are here that were here during this morning's session.

We mentioned this morning that after lunch, if you wished, you could put some things on the record that you have in mind, if you wish to do now, why don't you do it.

RAY: All right. I got -- I wanted to go over first was my association with Foreman, Percy Foreman, Bradford Huie, Huie and those, but we went over most of those. But I'll see what I

got here. Well, I done went over the disagreement with Hanes on the, wherether I should take the stand or not. I think I mentioned on what pages of Huie's book and all that, and we went in to it. I wrote a certified letter once to Judge Battle complaining about Huie's pretrial publicity, I think that's in the habeas corpus record. I testified about Jerry came, coming to jail in early November of 1968. He brought Percy Foreman there on November 10th, 1968, Foreman had ^{the} contracts and -- Now Foreman told me, I don't know if this was so or not, but he said Huie and Hanes were personal friends or something and they were just interested in the money and he said he could break the contracts, that is, Foreman could. He said there wouldn't be any contracts until after the trial was over and I mentioned he never did as me anything about the case until he went over the prosecution's part of it.

LEHNER: I'm sorry.

RAY: He said he never, it's his technique to never ask you about the case, any details of it until he checks the prosecution's

LEHNER: That's Foreman?

RAY: Yes. He also -- Now, now there's been a lot of talk about, like Foreman and Huie and all that. I think Foreman orginally he, most of these, most of the association with another writer named, ah, George McMillian. I know he, one time they was suppose to give me \$5000 and I would confirm some psychiatric business that McMillian was going to use to write a book with. And later on, ah, now this was around December 18th. Later on in February the 18th, 1969, I think Foreman, I think Foreman took McMillian to my relatives. But I'm going

to give you these, I don't know if you want them or not, I'll give you these letters from McMillian and they more or less detail McMillian's dealing with FBI and Forman, and also me. And, I've got duplicate copies of them so I'll just give you these three letters. One's dated to me October 2d, 1971, one April 12th, 1971, and one to my brother John Ray September 14th, 1971, and this letter he says the FBI gave him, gave McMillian the FBI's file in the case. And, now Forman became ill in December and he didn't do anything until January 17th. I think he became ill after the last time he seen me December 18th, and the next, then that's when they appointed the public defender, that was Hugh Stanton, Jr. - Sr., and I never did talk to him and I indicated that I didn't want him representing me.

LEHNER: You never spoke to Hugh Stanton, Sr.?

RAY: No. He came in the block once and I told him I didn't want to see him. Ah, the reason for this was first I paid Foreman, and then Hugh Stanton, Sr., he'd represented the State's chief witness, Charles Stephens, and that would have been conflict right there.

LEHNER: In what kind of a case?

RAY: Well he was testifying against me, Stephens was, as a material witness and Stanton did, Hugh Stanton, Sr., did represent him, and then he got through representing me and they put him on my case, so, it seemed to me --

LEHNER: He represented him in his material witness status-

RAY: Yes.

LEHNER: -or represented him in some other case?

RAY: Material witness. They had him locked up and later Stephens fired Stanton and when he fired Stanton why they put Stanton on my case. Now in January 29, 1969 he give me a \$5000 check, Huie did. But I gave that to Foreman and he was suppose to get John J. Hooker, Sr. to, as co-counsel.

LEHNER: You wanted Mr. Hooker?

RAY: I didn't know him. I, I agreed to it, but later on he switched over and nothing, nothing ever came of it.

LEHNER: When you say switched over you mean Mr. Hooker switch over?

RAY: Well, initially I agreed to have Hooker come in as co-counsel. Then when he tried to get the guilty plea he switched over and he was going to get Ben Hooks. Well, Hooks, Ben Hooks I think he was, he was on the FCCC. And I, I didn't object to him on the grounds of, I think he's black on that, I objected, I objected to him on grounds that there would have probably been a conflict of interest because I think Hooks was a former judge in Memphis and at the time he was an officer in this SCLC, and - But I don't think Foreman was really sincere in getting him, it was just more or less a sham.

LEHNER: You say Hooks was involved with the SCLC, Southern Christian Leadership Conference?

RAY: Yeah, I heard about it, yeah, I think -- But I knew about, I knew he was a judge but I'm not positive about the SCLC.

LEHNER: What about the other association you said he was

associated with some other group?

RAY: I believe he went on the FCC.

LEHNER: Is this the NAACP, the National Association for the Advancement of Colored People?

KERSHAW: Yeah, he is now.

RAY: I don't know what he's doing now, he was on the Federal Communications, wasn't he?

EVANS: He means the FCC.

LEHNER: The Federal Communications you say?

EVANS: He was a judge in Memphis.

RAY: Well, I, I have --

I doubt very much if Foreman ever even talked to him. I think it was just something that he threw in there.

KERSHAW: Do you think he was threatening you with, that if he had to go to trial that he was going to associate Ben Hooks?

RAY: Well he switched from Hooker to Hooks so I figured it was something. But that's nothing significant. The only things that significant is that -- Now on February the 18th he give, there was another \$5000 check and that was made out to me but he forged my name on it and cashed it at the Planters Bank. He never had any power of attorney or anything.

LEHNER: He forged your name?

RAY: Yes. Now, on February 3d, well, on January 29th I signed this amendatory agreement getting Hanes out and the contract's in limbo.

Now February the 3d I signed the contracts giving Foreman everything in exchange for him defending me. And in between

February 3d and, and February 7th he filed 3 motions to raise money for the trials, to sell my pictures and sell the trial transcript every day to the news media and to get William Bradford Huie into see me. Now in respect to this he's also testified in the civil case, this, this one Western District of Tennessee, I think it's 19669. He testified that I orally agreed to plead guilty between the 25th and the 29th of January, 1960, 60, 69. Then after that he filed all these motions to raise money. Now also during this time he brought a clipping up to me written by Gonzalez, I think he brought it to me about February the 4th. And Gonzalez was a newspaper reporter from Texas and it had a real detailed writing of the case, and Foreman had me mark out certain things at that time where it was true or false, this was around February the 4th and also about February the 3d or the 4th, he never asked me anything about the crime, and I asked him if he wanted me to tell him about it or anything else. Now he never did ask me if I killed Martin Luther King or anything, but I volunteered the information that I hadn't. Then, so about February the 4th he wanted all this stuff written out on paper, I think it was yellow paper just like that, so he started writing it all out and he got a cramp in his hand and about a fourth the way through it, and he told me to finish it up. So, I write, I wrote the whole thing up. He told me the only thing to leave out was my being in the rooming house on Main Street where the shot was suppose to be fired, I can't think of the address, 421 Main or whatever it was. And then I did that and I gave him, I give him the paper. Now these papers I believe

William Bradford Huie has them or his lawyer J. Stein or probably Brown, Ned Brown his Agent. Now Brown's in Beverly Hills, California, J. Stein I don't know where his address is. But what makes me think that Huie has these papers is that he's never, while he never enter-, enter- any type of record in a civil criminal case, in one page of his book he referred, he quoted from these papers I give Foreman, that's the papers detailing the crime, detailing my actions. Now I think, now this would be on page 40, 84 of Huie's book "He Slew the Dreamer."

Now I give Foreman these in February and Huie confirms that I give Foreman this testimony in February. Now it was also during this period that he brought me these various pictures up. I believe I've looked at one of these pictures for the Committee, and this character had taken , of course, there was other pictures too. And at one time, it may have been this period, Foreman told me that Huie could get information from the FBI in one day where it would take Foreman three days, I think that's where these pictures came from and they were described as anti-communist Cubans, or associated with anti-communists or something.

Now, the first time a guilty plea was referred to was February the 13th. There was never no mention of guilty plea until February the 13th.

LEHNER: How do you know that date Mr. Ray?

RAY: He brought, he brought a document up there, and I've got it wrote down here. But I can remember that date anyway. Because it wasn't really, he just said I had a 99 chance for conviction, or electric chair, or a hundred percent for con-

iction, but there is also a clause in there that cleared Look Magazine and Huie of any responsibility for the, the necessity of me entering the guilty plea. Ah, we argued quite a bit on February the 14th about whether we should plead guilty or not, that was the next day after he give me that paper. And on the 13th I made various notes, and why I shouldn't plead guilty and all that, and I think the paper would indicate that I probably didn't want to enter a guilty plea. Well, I throwed these notes in a waste paper can but one of the guards got them out.

LEHNER: What notes was that?

RAY: Listen, I got them in front of me here. I got a notation up here, "I said don't talk loud the mic-, microphone is on," and I said "I seen Huie on TV and is Huie going to run the article the 18th?", and just general conversation. I also mentioned to him that Huie had been in front of a Grand Jury. Huie had went in front of the Grand Jury I think February the 7th, 1969. And --

LEHNER: When did you write this note out?

RAY: I wrote it on February the 13th.

LEHNER: Could I see , you have it in front of you?

RAY: Yeah, you can have a copy of it if you want.

LEHNER: Okay.

RAY: The guards' name is on the side, the ones that got it out of the garbage can.

LEHNER: Why don't you read it off and explain to us what each one of these things mean on here?

RAY: All right. Well the top of page, it's difficult to

see that, but at the time Foreman was talking sort of loud and I said, I told him, on top I said "Mic-, microphone probably on" or something like that, that's at the top of the page.

LEHNER: What was the purpose in writing this?

RAY: Well these, I wrote these as things to, I couldn't remember everything I wanted to talk to him about so I made notes, and when he come up I talked to him.

LEHNER: And then you threw these notes away?

RAY: Yes.

LEHNER: And then what happened to the notes?

RAY: Ah, the guards got it out of the garbage can.

LEHNER: Was this an exhibit in one of the post- conviction hearings?

RAY: Yes, these two -- Yes, these two officers got it out of the garbage can and turned it over to the Attorney General and then we got it on discovery from the Attorney General's office, the Memphis Attorney General.

LEHNER: And during the habeas corpus was --

RAY: Yes.

LEHNER: -this one of the exhibits?

RAY: Yes.

LEHNER: And so you put on the mic don't -- What was that?

RAY: Well that means talk low because the microphone was on. That's at the top of the page.

LEHNER: And this was something that you were going to tell Foreman or you did tell Foreman?

RAY: Yeah, I talked to him but these were just topics that

that I wrote down and intended to discuss with him when he visited me on the 13th.

LEHNER: And you did discuss it with him-

RAY: Yes.

LEHNER: -and then you threw it away?

RAY: Yes.

LEHNER: I see, okay. Go ahead, why don't you explain each one of them.

RAY: All right. The top, I mentioned to him not to talk too loud because he was deaf, anyway, and the microphone was on. Um, I got "pictures" next, I guess that pictures of me, I don't understand that too much. And then I got "we'll rent box", we was going to rent a box because all out mail was being intercepted.

LEHNER: Was there anything after the pictures, what does it say then?

RAY: Ah, after the pictures, no, I had, there's something crossed out, I can't read it and then there's "We'll rent box" that's the post office box.

LEHNER: That's, which box is that referring to?

RAY: A post office box, we was going to rent a post office box because our mail was being intercepted by the -- they was reading it before we could read it, but we never did get around to that. Ah, at that time I was on restriction, I got a note here now saying, "Still can't see papers, Huie on TV", now the reference to the "I can't see papers" I was on restriction and Huie was on TV. Huie had went on TV February the 7th and said there was a conspiracy in the case and he said there were four men and

they were from New Orleans. And, now in reference to this Huie also went on -- That was in, that was in February the 7th, 1969. Now he also went on TV in California and said the same thing, but let me see what --

KERSHAW: What TV station?

RAY: In California? Well that's what I'm trying to find now. It's W. -- Ah, I can't seem to find it now.

LEHNER: What papers were you not able to see when you said "Still can't see papers?"

RAY: That's newspapers. I'd had some trouble up there on shake downs and they were shaking down every 30 or 40 minutes and I objected to it so they put us on certain restrictions.

Ah, let's see.

Ah, well I'll go ahead and finish this paper I'm reading off. There's an officer named DeFour wrote right across the side of the thing.

LEHNER: You wrote that?

RAY: Yes.

LEHNER: What was the purpose?

RAY: Ah, he was -- he was one of the first, he was the first one at the scene of, after the shooting, he was the first one on the scene. And he saw more probably than anyone else but he wasn't on the witness list so I think that's the reason I wrote it down.

LEHNER: How do you know he was the first one on the scene?

RAY: He told me he was.

LEHNER: He was one of those who were guarding you?

RAY: Yes. And he, it was also in the newspapers.

LEHNER: Was Barry one of those that was guarding you then?

RAY: Yes.

LEHNER: What did Barry tell you?

RAY: He told me that he was the first one at the rooming house when, I think he was the first one at the rooming house when King was shot, and he also told me that, now he didn't, now that's what he told me, that he was the first one at the rooming house. He was joking, he said "If I'd seen you coming down the stairs I'd have got the reward or something and made Lieutenant. But according to testimony now they said other people was there first. But, now a lawyer told me that Barry waived me out of the area when I was driving around that area, so there's two -

LEHNER: What did Barry say about that?

RAY: Ah -

LEHNER: Did you ask Barry if he was the one?

RAY: No I didn't find out till later, Livingston told me about it.

LEHNER: After you were in Nashville?

RAY: Ah, yes.

LEHNER: You found out about it when you were in Nashville so you couldn't ask Barry about it?

RAY: Ah, no, I didn't ask Barry. The only thing, none of those, none of these officers talked to me directly. They'd talk to me indirectly.

LEHNER: How was that?

RAY: Well there's two of them in the cell and sometimes they'd

say something and it'd be my interest and I'd make a note of it or something.

LEHNER: Were they talking for you to hear or was it inadvertent that you heard it?

RAY: Yeah, I think they was talking from, for me to hear because several - Well, I know one time two of them said something about the case wasn't like it came out in the newspapers. I think one example of something that would probably be in my benefit of what they said was, well two of them was guarding Stephen and they made several references about what kind of deals they was making between them. I think probably the most significant thing is that they told me though was that, again this is indirectly, that all police officers within four miles of the shooting when Martin Luther King was shot had to make sworn statements of just what they was doing that time and what they observed.

LEHNER: Within how many miles?

RAY: Four miles.

LEHNER: And this was something you overheard?

RAY: Yes.

LEHNER: Do you know who said that?

RAY: Well it was -- The fact is I heard two police officers say that. Well they, like I say they wasn't talking to me they was talking to, it might have been talking to, you know, indirectly.

LEHNER: Were these Sheriff's Deputies that you are talking about?

RAY: There was a bunch of them up there. Now I don't

know if the ones I'm specifically referring to were Sheriff Deputies or police, but they'd have one police and one sheriff deputy in there.

LEHNER: Now, the ones that, the two that said that about police officers within four miles of the shooting had to write statements, do you remember which one of the two, or either of the two's name?

RAY: No, I don't recall which two it was. It was, I'm almost certain it was though because later on after I plead guilty I told Morris, I said, he's the Sheriff. I said, well if I could of got those statements maybe I wouldn't had to plead guilty, and he said, well that's the way it goes.

And -

LEHNER: What did they say about Stephens? What did you overhear them say about Stephens?

RAY: Ah, well most all the police men up there guarding me were either at one time they either guarded Stephens or they was on the scene. I don't know if it was a coincidence or not, on the scene when Martin Luther King was shot. And, I just pick up conversation between these things. Specifically with reference to Stephens, ah, there were some mention of contracts with lawyers, and they mentioned they use to have to take him around to taverns and get him alcohol and things like that.

LEHNER: Let me just see if I understand the Barry situation, Livingston first told you when you were in Nashville Prison that Barry was the one, was the one who waved you off, is that right?

RAY: Yes, that's correct.

LEHNER: How did Livingston say he got to know about Barry waving you off?

RAY: Ah, I guess he talked to him as far as I know. He just described him as a crew cut guy, Barry is, so I --

LEHNER: Oh, he didn't give the name Barry he just described some one who you took to be Barry?

RAY: He used the name Barry too, yes, he used it. Of course there maybe more than one Barry up there. But, see none of these, none of these individuals was on the witness list of 399 witnesses, they was, they wasn't, no policemen was on there especially, you know, that were in that area.

LEHNER: Do you still have those list of witnesses?

RAY: No I don't have them I've give him, Jim Lesar has got all these papers, I don't have any, I never, I don't have no file.

EVANS: See, Jimmy, - Barry was one of the guards that was guarding you at the Memphis Prison?

RAY: That's correct.

EVANS: And did you here him say that he waved you off, did you hear him in a conversation with someone else that sort of confirmed what Livingston had said to you?

RAY: No.

EVANS: You never heard him mention it?

RAY: . . . Barry said he was the first one at the rooming house.

EVANS: Uh huh.

RAY: Now of course theres been testimony that someone else was there. But, if he was the first one there he would of

probably been there within 10 or 15 seconds after the shooting because he was just about a hundred feet from the building when the shot went off, he was in a squad car right down the street. But the thing is, I don't know, he couldn't be two places at one time, he couldn't come to the rooming house, of course, he may of been joking me there. I'm inclined to think that he was in this squad car and went down the street.

EVANS: Went down the street where?

RAY: To block the road off.

LEHNER: What block would that be?

Where would that be in relation to any of the physical points of that we could try?

RAY: Well I seen these diagrams but I couldn't tell you. I think it would be, it would probably be a block down the street from the fire house going south.

LEHNER: Block past the fire house?

RAY: That's correct.

LEHNER: Is that where the police car was?

RAY: Did I see one there?

LEHNER: Yeah, the one that you saw when you made that u-turn, was that a block south of the fire house on Main street?

RAY: I'm really not positive, I thought it was either a block or it might have been closer, but it could of been closer I'm not positive.

LEHNER: How far were you from that police car when you made that u-turn?

RAY: I'm not positive.

as the police car
LEHNER: Were you in the same intersection/when you made that
u-turn or was the police car a block away from you?

RAY: I thought it was a block away. But according to
Livingston and Barry he said to, he told me to get my ass out
of the area or something. I don't have any recollection of that,
but of course, usually if the police is after me I don't have too
much recollection anyway. So --

LEHNER: What time was that when you got turned away, that, that
you turned away at any rate?

RAY: I couldn't say.

LEHNER: Well what time would you put it on/trying to think
back?

EVANS: Where were you coming from?

RAY: From the service station.

EVANS: Did anything occur while you were at the service
station that made you think there was something amiss somewhere
else?

RAY: I didn't hear any sirens or anything if that's what
you are --

EVANS: Uh huh. How long were you at the service station?

RAY: I believe I was at two of them, I think probably
both of them at, 10 minutes at the most at both of them.

EVANS: Between both of them?

RAY: Yes.

EVANS: What time did you leave the rooming house?

RAY: I would guess 5:30.

EVANS: So you are saying that you would have been back and
you would have been waved off before six o'clock?

RAY: No it would probably been after six because there is a lot of traffic around there. I went to a tavern, I went to the tavern after I left the rooming house.

EVANS: Right.

RAY: I think they have a statement on that. Ah, now I came back and picked up the Mustang, and if I left the rooming house around 5:30, it's somewhere around six but I couldn't be specific because -

LEHNER: Somewhere around six that what happened?

RAY: Pardon.

LEHNER: You say somewhere around six, what happened?

RAY: I think it was around 6 when I came back in the area.

LEHNER: Oh, so you think it was about six o'clock when you saw the police car?

I think,

RAY: /well if that's when the shooting took place then there was people running around. I think it would have been six o'clock.

LEHNER: Well, I can tell you, you know, in all fairness I can tell you that the shooting has been reported to be at 6:01, that's the report as to when the shooting occurred. And I'm trying to understand from you when you think you were waved, when you think you saw the police car which caused you to make that u turn on Main Street?

RAY: Well I'm just assuming it was Barry or someone else, and it was after six because he, if the shooting took place at 6:01 then naturally he wouldn't be up there until 6,

probably 6:02. Because from what I've heard of these police officer I don't know if you've deposed any of them or not, but as soon as all this happened they, they didn't waste much time in moving around and blocking streets off and things like that. Now they never, they never told me about blocking streets off, ah, Barry didn't tell me that. He told me he came in the rooming house. Now, I told you this before, but then Livingston said he blocked the street off, now whether that's correct or not I don't know.

LEHNER: Did, when, when you were at the, either of the gas stations did you see any ambulance?

RAY: No.

LEHNER: And where were these gas stations in relations to where you, where the rooming house was? How did you get to those gas stations?

RAY: Well, I would just have to guess. I would say going north, I'd go down about three blocks maybe 4, and turn right and go down possibly four or five more. And I think they were, they may have been three filling - service stations there altogether, I'm not positive, I know there were two there, but I can't be - I had some recollection that they were majors, sold, you know brand name products. But I read in the paper after you was here the last time, it gave the number, name, but I can't remember just what the name of it was. But I don't have no independent recollection if that's, if that was the place or not.

LEHNER: You read in a paper, newspaper or something, after we saw you last?

RAY: Yeah. The last time I testified I mentioned it and someway it got in the newspaper.

LEHNER: What did it say in the newspaper?

RAY: It said there was someone there, but, he'd seen me walking down the street, he'd seen my car, but this individual I don't even know, I don't even know if he's really the one that- He's the service station attendant, but the one I'm talking about I saw, I saw in the service station where this particular individual is talking about he seen me walking down the street, but I've never testified that I was walking down the street.

LEHNER: The newspaper account said that somebody saw you walking down the street?

RAY: Yes.

LEHNER: In the area of a gas station?

RAY: Yeah right before, round about the time of the shooting, yes.

LEHNER: What newspaper was this?

RAY: I imagine the Tennessee papers.

LEHNER: Do we have a copy of that?

KERSHAW: Look and see. I think it would been the Tennesseean, I think.

MRS. KERSHAW: I remember reading it.

LEHNER: And it was that some, somebody said that they saw you -

MRS. KERSHAW: I thought it was Willie Green that was supposed to have said he saw him?

LEHNER: Sobebody that saw you, Mr. Ray, in the area of one

of the gas stations walking at the time of the shooting?

RAY: Yes.

LEHNER: Is this Willie Green that Mrs. Kershaw suggested?

RAY: I think so, but I don't have no recollection of walking on that side. Only place, street I ever walked on was Main Street. And I probably walked on that street when I was coming up here trying to find the building, but that would of been -

LEHNER: That's Main Street you are talking about? You are talking about walking in the area of Main Street? Trying to find what building?

RAY: When I first came there it's a possibility but I don't have no recollection. I could of walked past there when I was trying to find the rooming house in the first instance, but after that I never did get off of Main Street, I stayed on Main Street.

LEHNER: By the way what, what were you looking for when you were looking for the rooming house? Did you have some note that you were looking at some, some -

RAY: Yes, I had a note.

LEHNER: What, what was on the note?

RAY: Ah, it was Jim's Grill or restaurant or something.

LEHNER: Was there an address?

RAY: I don't know if it's a grill - Huh?

LEHNER: Was there an address on it too, yes.

RAY: Yes.

LEHNER: What was the address?

RAY: I don't recall now. I guess it was 4, 411 or something.

But there's two, there's two Jim's Taverns and Grills in that area. There's one farther north, and I got in the one farther north the first time.

LEHNER: But on the piece of paper that Raoul gave you it said Jim's Grill or Jim's Tavern?

RAY: Ah, yeah, I think it had the address and name, yes.

LEHNER: And when you went to the one north you just happened to walk into that place, right?

RAY: That's correct.

LEHNER: And you didn't, you stayed there for a short time and then you left, is that right?

RAY: I asked, I inquired about the address. Now the places I went in, now I don't know if that's a Jim's Tavern or Jim's Grill, now I'm just saying that because other people told me it was. I didn't, I don't have a recollection of going in there with that name on it. The only thing I have a recollection of going in the tavern and inquiring about a certain address.

LEHNER: Why did you go into that first tavern if you didn't see any name Jim's on it?

RAY: Just, just to inquire about the address I had on the paper.

LEHNER: And did you ask in there whether or not there was a rooming house above?

RAY: Ah, down there, no I just asked about, I just asked about the address and the guy told me it was further down the street.

LEHNER: Ah, so it wasn't because you got that confused with

Jim's Grill?

RAY: I don't have any recollection of that. The only thing I know about that is that someone has told me I might have got it confused, the address, but I don't have any independent recollection of it.

LEHNER: Because you say the first time you know that the first place may have been Jim's was that someone told you later on that that was it?

RAY: That's correct, yes.

They say I might of went in there by mistake. I think Renfro Hayes said something about it.

LEHNER: In that first Jim's did you see some one in that first Jim's that you saw in the second Jim's?

RAY: Yes.

LEHNER: Was it one person or two people?

RAY: Two.

LEHNER: Was this something that got you concerned, one of the reasons why you left Memphis, that you thought this person was following you?

RAY: I thought the possibility he was following me, yes.

LEHNER: Do you think, do you think maybe that was somebody who was associated with Raoul?

RAY: I associated people more with the police than I do, I'm not really concerned about crooks.

LEHNER: Well you indicated to us that you had, that Raoul maybe associated with the, with authority?

RAY: Well that's on, that's on hindsight more or less, I mean I'm, you know, I'm testifying of what I thought at that

specific time. I told this to Huie but I forgot about it for three or four years and then I happened to snap, I was thinking about it. But, I think at the time I would have been more concerned about the police than I would any, someone operating illegal or something like that, that's just something that, you know, stuck in my mind.

LEHNER: Well how would the police know that you were going to that Jim's, to be there, the first Jim's Restaurant when you got there?

RAY: Well I wouldn't have any idea. The only thing that bothered me was, I wasn't concerned about seeing him the first time, I was concerned about seeing him the second time because he was dressed, he appeared to be, I think one of them was dressed like a sailor, a merchant marine, I was concerned about he looked more like -- Well, some people you just get uneasy feeling about because they don't look like they belong in the neighborhood or something, and that was kind of a skidrow place anyway.

LEHNER: Well, what I'm trying to figure out is, it was just coincidence that you went to that first place, it wasn't that on the note it said Jim's Grill or Jim's Tavern and you saw some other Jim's, you just coincidentally went to that place to ask for, for whatever the number was and Jim's Grill, right?

RAY: That's my recollection, yes.

LEHNER: Now if that's the case why would any police who would probably be following you, why would they be in there? How would they know that you were going to inadvertently go in there?

RAY: I, I couldn't say. Unless they was following me when I got out of the car or something like that.

LEHNER: Following you when you got out of the car and yet they were in there when you walked in?

RAY: I don't know if they were in there when I walked in or not, I just saw them in there. I don't know if I seen them when I first went in there.

LEHNER: How long were you in there the first, the first Jim's?

RAY: I think I ordered a beer. I, I couldn't of been in there more than five minutes.

LEHNER: And it's one person or two people?

RAY: Two people.

LEHNER: And the same two people you saw later in Jim's Grill?

RAY: Yes. Yes, downstairs.

HAUSMAN: You said that some people make you suspicious because they don't belong in the neighborhood.

RAY: Yeah.

HAUSMAN: I mean, this was really a waterfront skidrow type neighborhood?

RAY: Yeah.

HAUSMAN: How were you dressed at this time?

RAY: I think I had a suit on, and, meduim color suit and -

HAUSMAN: Gray suit? Blue suit?

RAY: Ah -

HAUSMAN: Dark, black suit?

RAY: I think it was just probably me, I usually just

wear something that's not attractive or anything like that. And-

LEHNER: Do you recall what color it was?

RAY: No I can't even recall what color it was.

LEHNER: Was this the same suit that you were wearing when you went back to Atlanta?

RAY: Ah, yes.

LEHNER: What happened to that suit?

RAY: I guess, the prosecution they gave a lot of that stuff back to us after the guilty plea and I think that's probably some of it.

LEHNER: You still had that suit when you were captured in London?

RAY: Yes.

LEHNER: Were you wearing that suit at the time you were captured?

RAY: I don't know if I was wearing it or not, I had more than one change of clothes but I don't know just what -

LEHNER: Well, what color was that suit that you --

RAY: Everything I had was brown, blue or gray. So, I don't know just what one that one would have been, it probably been, it would have been one or the other. Now, I had a sport coat which was brown, so I either had brown clothes on or medium blue.

HAUSMAN: How many suits did you have when you were traveling around the country at this time?

RAY: Well I think I had two suits and a sport coat.

I think I had a gray one, a medium blue one, and then a brown sport coat.

LEHNER: How many of these things did you take up to the rooming house?

RAY: Oh, now I didn't take anything to the rooming house.

LEHNER: Just what you were wearing as far as clothes?

RAY: I intended to one time, but there's no locks on the doors or anything.

LEHNER: What did you take up to the rooming house?

RAY: Ah, I took an overnight case and toilet articles, and, well I've seen the list, I took everything on there, on the list except the beer. I can't, I'm positive I didn't take it up there.

LEHNER: You took the toilet articles?

RAY: Yes.

LEHNER: The, what else?

RAY: Well, whatever is in the case I don't recall what's in there now. Whatever is on the list I took up there.

LEHNER: Newspaper?

RAY: I don't re -- I may have took it, I don't recollect taking a newspaper. I may have, yes.

LEHNER: Did you look at a newspaper up in the room?

RAY: No.

LEHNER: Did Raoul look at a newspaper up in the room?

RAY: No. It was no -- I was in the room a very short time. It was just brief conversations and that was it, it was no reading newspapers or listing to radios or anything.

LEHNER: Well --

HAUSMAN: Did you take a hammer up to the room?

RAY: If it was in the -- I took everything in the case. If there was a hammer in there then I probably took it up there.

LEHNER: Why did you take the hammer?

RAY: Well it -- I just took the case in there, there was no specific reason why it was done.

LEHNER: What was in the case?

RAY: Well I was concerned about the toilet, the shaving, razor and things like that.

LEHNER: Well why did you have a hammer?

RAY: I think I was talking a locksmith course is the reason I purchased it originally.

LEHNER: So you took what was in the case, which was your toilet articles, a hammer was found -

RAY: Yes.

LEHNER: What else did you take?

RAY: I don't have no independent recollection.

LEHNER: Did you take a cover too, a, a bedspread cover?

RAY: I think did. I think I took a bedspread cover was the only clothing I took up there. This was on account of, you know, the type of establishment it was.

LEHNER: What type of a bag did you take up?

RAY: It was just an overnight case, small blue one.

LEHNER: Did you take up a razor?

RAY: Yes.

LEHNER: Where had you gotten that razor?

RAY: That might have been the one that I bought at the drug store the day before that I'm certain. But I think it was because I bought some razor and I think blades at the

Rexall Drug Store the day before that. I think I left mine in Atlanta.

HAUSMAN: Did you take any map, excuse me, any maps?

RAY: No. No.

HAUSMAN: Well that was one of the things, two of the things that were found in your suit case.

RAY: Well I don't have no recollection of that. The only thing on there that I don't think I took up there was beer because I don't drink beer and I never, I never do buy it. Now, however, my finger prints were on it. But if I had to testify under oath I'd say the beer wasn't mine.

HAUSMAN: Well why don't we go down the list of --

EVANS: Just when you were in Jim's Grill a few minutes ago, and you bought a beer.

RAY: Yes.

The fact is I bought about three beers that day. Usually when I go in a tavern or something and I want to stall around I don't like to go in and not buy anything. I usually drink maybe a quarter of a bottle or something.

EVANS: Right. But when you were in Jim's bar you bought a beer yet you just went in to check the address?

RAY: Yes. I usually do that if I go in there and rest a couple minutes or something, I'll buy a beer and maybe drink a third of it or something like that.

EVANS: And you say you bought three beers?

RAY: During that, yes I had --

EVANS: During that time?

RAY: Yes.

EVANS: Okay, where did you buy the other two beers at?

RAY: Ah, I bought one underneath of Jower's, underneath the place. Then another time I left the rooming house and went to a tavern and I bought another beer there.

EVANS: Which tavern was that?

RAY: It would be on the main street going north on the left hand side of the street, some tavern along in that area.

EVANS: Well where is that in relation with York, is it near York's, where - the place where you bought the binoculars, or is it closer to the original place, the original Jim's bar, the one you went into first?

RAY: I think the last beer I bought would, was close to a -- was across from a movie because I did intend to go to a movie, and it was probably across, pretty close to this movie house because --

EVANS: Uh huh. Well where was the movie house in relation to Jim's Bar, not Jim's Grill but Jim's Bar, the first place that you went in?

RAY: I don't remember, I can't connect them up too close, the first place, but the second Jim's Grill underneath that rooming house, I think the movies was about seven or eight blocks down the street.

EVANS: Okay. Earlier this morning you told us you were in Jim's Grill three times.

RAY: Down stairs.

EVANS: Yeah.

RAY: Yes.

EVANS: And you just said you bought one beer in there.

RAY: Yes.

EVANS: What did you do the other two times you were in there?

RAY: Ah, I may have bought a coke in there, or I could of bought another beer or maybe I was just in there a short time. I think I went in there one time and we left right quick.

There was no --

EVANS: We, we?

RAY: Yes.

EVANS: Who?

RAY: Me and the other Raoul?

EVANS: Right.

RAY: I think that was the, that, that may have been the first time. I can't get all these synchronized together. I know I went in there one time, the first time I was in there, ^{was,} ah, the waitress/I forget now whether she was white or black but I know they changed the waitress when I came in there the second time and I think one other time I went in there -- when I came out of the rooming house one time I stopped over in there.

EVANS: Right. But the time you came out, the frist time you came out of the rooming house?

RAY: Seethe first time I came out I went to the, I went to buy binoculars. I don't believe I went in there the first time but it would probably be one of the times I was just walking around the neighborhood.

LEHNER: Was that before you checked in?

RAY: When I put the binoculars in?

EVANS: No, when you were walking around the neighborhood.

RAY: Now let's see, I went -- I went back and got the car and came back and checked in. So, when I was walking around the neighborhood one time I went to the Chickasaw Restaurant, the police told me the name of it. I can't get, you know, I can't get all these places in order just where I went, you know, from one place to the next. I know I went in there and I know there's statements on file to verify that I went in there but I can't get them all --

EVANS: Okay this suspicious guy that you saw in Jim's Bar -

RAY: Yes.

EVANS: - you saw him again in Jim's Grill?

RAY: That's correct, yes.

EVANS: All right. When did you see him in there, the first time you went into Jim's Grill?

RAY: Ah, no I saw him in there, ah, lets see when did I, I saw I saw him in the, now let's see, what -- What I'm trying to do is found out what reason I was in the tavern, the first tavern. And, let's see, if I went in there then, I think it must of been the first time, the first time I was in the area.

EVANS: The first time you were in the area you were in Jim's Grill?

RAY: That's correct, yes.

EVANS: That's after you left Jim's Bar you went to Jim's Grill?

RAY: Yes.

EVANS: And you think the person that you saw in Jim's Bar followed you to Jim's Grill?

RAY: Well I don't know if he followed me or if he --

LEHNER: But he was in there when you got in there?

RAY: Yes, he was in there. Yes I remember, yes I know I saw him in there one time.

LEHNER: And you saw Raoul in there?

RAY: Yes. But I don't know if it was that same time or that same instance or not because I was in there three times now, but see, see what I've testified to on these ^{on these} things, that the first time I saw Raoul in there the first time I came up.

RAY:

EVANS: Right. /But I don't think, I'm inclined to think that's wrong because I was basing that on, I was basing that on the fact that I had the car out there and I came in and met him. But then I got to thinking it over and see I didn't, I didn't bring the car up there the first time I came up there and just looked in the first time and I went back and got the car. I think that's when I met him there the second time when I got the car and came back up there. I think the first time when I went in there is, I seen the character in this Jim's Bar. Then when I, then when I went up to Jim's Grill to find this address then I seen them again and became sort of suspicious.

LEHNER: Was he in there before you got there to Jim's Grill?

RAY: I kind of, I believe he was but I can't, I'm not one hundred percent but I believe in the second grill underneath the rooming house I believe he was there when I got there. But --

LEHNER: How did you get from Jim's Bar to Jim's Grill?

RAY: I walked there I guess.

LEHNER: What's your account for how he got there before you?

RAY: Well unless he went out before I did.

LEHNER: How did he know you were going to go there?

RAY: Well I don't know if he, I don't know if it's just a coincidence or he knew I was going.

A lot of times you go from one bar to another and you will meet someone up there.

LEHNER: How did he know that you were going to go to Jim's Grill so that he would be there?

RAY: Well it may have been a coincidence, he just may of walked up there. But, I suppose the coincidence made me a little suspicious or something of that nature.

EVANS: Was Raoul in there when you saw this guy in there?

RAY: No, I don't believe he was.

EVANS: All right, when did you first --

RAY: The fact is I'm positive.

EVANS: When did you see Raoul?

RAY: Well that's what makes me think that I seen Raoul the second time and seen this guy the first time because I have no recollection at all of seeing both in there at the same time.

EVANS: All right, so you, you didn't see Raoul in there but you saw this guy in there?

RAY: Yes.

LEHNER: Then what did you do?

RAY: Ah, well I think that's when I left there and went

down and got the Mustang.

EVANS: All right you bought the Mustang back, where did you park it?

RAY: Ah, I parked it in front of Jim's Grill.

EVANS: All right, you know there's a guy in there that you saw in there, right, you parked the car right directly in front of Jim's Grill?

RAY: Yes.

EVANS: All right then what did you do?

RAY: Then that's, I think that's when I met Raoul after I parked the car at that time.

EVANS: Where did you meet Raoul at?

RAY: Inside there.

EVANS: Was this guy still there?

RAY: No. Now when I went in there the second time there wasn't nobody in there except this guy that calls himself Raoul. I do remember that clearly because the first time I was in there, there was quite a few people in there.

EVANS: Okay. So this time what did you buy when you were in there?

RAY: I don't know if I bought anything, I think I may of bought something.

EVANS: Well either between that time or the last time, you either bought a beer the first time --

RAY: Yes.

EVANS: -and a coke this time or what, which did you buy?

RAY: I think I probably bought a beer the first time but -

EVANS: So the first time you went in there and you saw this guy in there you were having a beer?

RAY: Yes, I think so.

EVANS: All right. Then you left and went and got your car?

RAY: Yes.

EVANS: And you came back and you went back in and you saw -

RAY: The second time.

EVANS: Who did you see in there the second time?

RAY: The Raoul I saw the second time.

LEHNER: But the guy was not in there any more?

RAY: No. I didn't -- The second time there was just one person in there, me, there was three people in there, me and the one called Raoul, and the one called - the waitress that was it.

LEHNER: What color was the waitress?

RAY: Well I don't know if she was black or white. But the second time they changed, on the first or second time. I think, I think -- I think the first time she was black and the second time it was a white waitress.

LEHNER: Did you see the guy again after seeing him that first time in Jim's Grill?

RAY: Well just those two separate incidents.

LEHNER: Jim's Bar and then in Jim's Grill?

RAY: Yes.

LEHNER: That's the only time you saw the guy?

RAY: Yes, that's it.

LEHNER: Was it one guy or two guys?

RAY: Two guys.

LEHNER: Both times two guys?

RAY: Yes.

LEHNER: And the last time you saw them was in Jim's Grill the first time you went there?

RAY: Yes.

LEHNER: So there's no reason for you to be suspicious of them the time you came back to the, and you saw the police car, right? That wasn't one of the reason you left town was it? They weren't even there when you returned the second time when you met Raoul?

RAY: No. These things build up you know. It's not, it's just like the guilty plea and everything else, it's never one ^{it's} thing that causes you any anxieties/an accumulation of things.

LEHNER: Yeah, but what you are telling us is, the two people you see in Jim's Bar get to Jim's Grill before you do, which means that they can't be following you.

RAY: Well I'm not a hundred percent certain they get there, but as far as that goes they might of asked the bartender what I was looking for. So, they may have been following me from the beginning. I'm just --

LEHNER: When you told the bar -- When you told the bartender what you are looking for that's when you left Jim's Bar, right? He told you where to go?

RAY: I don't think I left right there. No, I probably

ordered a beer, if I did I probably set there and rested two or three minutes because I'd walked about a mile and a half.

LEHNER: So you think they might of then asked the bartender what you said?

RAY: Well, I'm just speculating here, what would they do?

LEHNER: Was that what you speculated then way back, way back when you saw the police car?

RAY: No, I was just suspicious when I saw somebody in the same bar twice and they looked out of place. It was nothing. -- It may have been a total coincidence. I'm, I don't really get that paranoid about it. But it's just something you wonder, you know, it turns over in your mind and you wonder how come someones here that you just seen before.

HAUSMAN: You said they looked out of place?

RAY: Well I thought they looked more classier, if that's the right word, then the averaged person in that area..

HAUSMAN: But before you told me - you told us you were wearing, you were wearing a suit, right?

RAY: Yes.

LEHNER: Were you wearing a white shirt?

RAY: Un huh.

HAUSMAN: Was else were you wearing besides a suit?

RAY: Probably a white shirt and a necktie

HAUSMAN: And a tie. So didn't you look more out of place than anybody else around in this seedy neighborhood?

RAY: Yes, but I'm not looking at myself of course.

HAUSMAN: But, might they think that you look suspicious?

RAY: They very well could have.

LEHNER: What kind of tie was it that you were wearing?

RAY: I really don't recall.

LEHNER: Was it dark or light?

RAY: I don't know. The Memphis Police got all this, everthing I had, I don't know what's, it's been so long. I know I wear blue - blue, brown and gray and that's it. And usually a tie, I'd probably wear one similar to what you have on.

LEHNER: I have on a blue tie with some shield type things.

RAY: Not just a like now.

LEHNER: Did you always wear white shirts?

RAY: Ah, well at the time they were more or less the style, they didn't wear all the different colors at that time, so, you just go in and buy a shirt, you buy a white shirt.

LEHNER: What was -- Did Raoul seem out of place in Jim's Grill?

RAY: If I were to saw him?

HAUSMAN: Yeah, what --

RAY: Well I thought he, well I thought he would have been similar to the other fellows. He would have probably been a - Well you have different classes of crooks just like you have different classes of lawyers. So he would have probably been - He would have probably beem -- Well, you know, like when you go in a tavern and you see one bookie, he's usually dressed up better than the other ones, so that's the way I described these people I saw.

LEHNER: Well how was Raoul dressed compared to these two guys that you say looked out of place?

RAY: Ah, I don't recall too much about his dress but he never did wear a necktie usually, he'd just wear a buttoned up shirt, jacket, not a jacket but a suit coat.

HAUSMAN: Did he wear a white shirt or was he, did he have colored shirts?

RAY: I never saw him wear a white shirt, no.

LEHNER: You never saw him what?

RAY: Wear a white shirt.

LEHNER: What was he wearing that day, see if you can think back?

RAY: Just a pair of pants, and a shirt, and the only think I can recollect clear, there was no neck- he never wore a necktie?

LEHNER: What color shirt was he wearing?

RAY: Just a dark one.

LEHNER: And was he wearing a jacket over his shirt?

RAY: Yes.

HAUSMAN: Did he wear an open collar or a buttoned up collar?

RAY: It's a buttoned up collar.

HAUSMAN: All, all the way to the top?

RAY: Yes.

LEHNER: The top button would be buttoned but he would not wear a tie ever?

RAY: Yes.

LEHNER: Was that his regular dress?

RAY: Yes.

LEHNER: He'd wear a jacket, a pair of pants and a dark shirt buttoned to the top.

RAY: Yes.

LEHNER: Do you recall what color jacket or what color pants he was wearing?

RAY: No. Usually dark, blue or brown, or something to that --

LEHNER: How did he wear his hair?

RAY: Kind of back a little bit, dark, similar to the picture I picked out except that his forehead wasn't that high.

LEHNER: When you say back a little bit, what are you referring to?

RAY: Combed back.

LEHNER: Combed straight back without a part?

RAY: Yes.

LEHNER: And what color was the hair?

RAY: Ah, it had a red tint to it, dyed.

LEHNER: It was dark?

RAY: Yes.

LEHNER: It was dyed or not dyed?

RAY: I've seen people dye their hair, black haired people dye their hair red and a lot of times you dye it blonde it will have a red tint to it.

LEHNER: So this -- It looked to you like he was black haired but he had a red tint to it?

RAY: Yes.

HAUSMAN: Was it wavy or greased back?

RAY: No just kind of wavy.

LEHNER: Dry looking or wet looking?

RAY: Ah, I never looked, I never looked at people that, especially if it's a man that close, but I think it was dry.

LEHNER: What were these two guys dressed in, the two guys that you say were in both bars?

RAY: One was dressed like a Navy, seaman or something. The other one he was dressed up, he had dark clothes on too, I guess everybody was wearing dark clothes around there. He had dark clothes on.

HAUSMAN: You say dressed up, was he wearing a Pea coat or -

RAY: One of them was, yes. He looked like a -- Well one of them looked like a regular merchant seaman, the other one looked like he may be some type of an officer or something.

HAUSMAN: You mean a uniform?

RAY: No. But, you know, he was -- Just give you that appearance, some people gives you certain appearances some don't.

LEHNER: Well we'll take a short break now. It's 2:29 we will give our stenographer a chance to relax and we will pick up in a few minutes.

RAY: I'll see if I can find that TV station.

(A recess was taken at 2:30 p.m.)

(Interview begins again after recess at 2:36 pm).

LEHNER: Okay we are back recording, it's 2:36 and everybody is here that was here before the break.

discussing

Um, we were just what the two fellows, in the two bars were, looked like, what they were wearing. You were telling us one looked like an officer, like a Naval officer type?

RAY: Well he just dressed, he just had a more of a better appearance than the other one, that's all I can say about him.

LEHNER: You were the best dressed person in either of those two bars, were you the only one with a tie is that right?

RAY: I suppose so, yes. I'm not a 100 percent certain I had a tie on. I just assumed I had one on because sometimes-- I usually wear one, so - You want me to go over the rest of this paper now?

LEHNER: Okay, I think it was one thing, it was one thing that Alan Hausman was, was going, started to go into and maybe we could just finish that before we go into what your paper was, that is what was your's and what was not your's that was taken into the room. Maybe we could go over that list.

RAY: All right.

HAUSMAN: You started talking about what was found in that blue zipper bag that was found outside of Canipe's, and I thought maybe we could just go down the list of what the police say was found in that bag and you could say what was your's and what, you know, why it was in that bag-

RAY: All right.

HAUSMAN: -if anything.

Band-aid sheer strips?

RAY: I guess so, I can't -

HAUSMAN: Ah, a brown bag with two unopen cans of beer?

RAY: Well the beer wasn't mine. I don't, I don't have a recollection of having no beer.

HAUSMAN: A belt?

RAY: Yes.

HAUSMAN: A tube of Brill Cream hair dressing?

RAY: Yes.

HAUSMAN: Bufferin?

RAY: Yes.

HAUSMAN: A button, gray, brown or maroon?

RAY: Probably so, yes.

HAUSMAN: Would that be from one of your suits?

RAY: I couldn't say.

HAUSMAN: The button. Palmolive Rapið Shave?

RAY: Yes.

HAUSMAN: Right Guard deodorant?

RAY: Probably so, yes.

HAUSMAN: Six pack of Schlitz?

RAY: No.

HAUSMAN: Hair Brush?

RAY: Yes.

HAUSMAN: Hammer?

RAY: Yes.

HAUSMAN: Handkerchief?

RAY: Yes.

HAUSMAN: A key to the bag?

RAY: I guess, there's a key but I don't think it's to the bag. But I probably had a key.

HAUSMAN: A travel kit?

RAY: Yes.

HAUSMAN: Mennen Lotion?

RAY: Yes.

HAUSMAN: Two aps?

RAY: I don't recall the maps, no. I think --

HAUSMAN: One was of the United States and one was of Georgia and Alabama?

RAY: It's possible I had them but I wouldn't say yes or no. But I usually keep a lot of maps though, so I probably had them, they probably were mine.

HAUSMAN: You usually keep maps in the car or you stick them in some type bag or -

RAY: I usually keep them in the room wherever I'm staying at. I don't recall carrying them around, but I may have had them in there, I, I couldn't say. Georgia and Alabama?

HAUSMAN: Yeah, Georgia and Alabama.

RAY: Well they was, they were probably mine, yes.

HAUSMAN: Ah, Commercial Appeal Newspaper?

RAY: Ah, I probably was, I don't have no independent recollection, but it was probably mine.

LEHNER: That was, that was of the day April 4th, 1968.

RAY: Well I probably purchased it. Because I usually

buy a newspaper.

LEHNER: Where do you recall you would of purchased that, that paper that day, April 4th?

RAY: I don't have no idea, probably the motel.

HAUSMAN: You mean the motel you checked out of?

RAY: Yes.

LEHNER: The New Rebel?

HAUSMAN: The New Rebel?

RAY: Yes.

HAUSMAN: Toilet paper?

RAY: No, I don't have no recollection of that.

HAUSMAN: You didn't carry it around for these type of establishments?

RAY: No.

HAUSMAN: Bobby pins?

RAY: Bobby pins? What would I want to be carrying them around for, but they may have been mine.

HAUSMAN: A pair of pliers?

RAY: Yes.

HAUSMAN: Did you normally carry a hammer and pliers around with your toiletries?

RAY: Probably -- Tools of the trade.

HAUSMAN: Kiwi shoe polish?

RAY: Yes, probably, yes.

HAUSMAN: Safty razor?

RAY: Yes.

HAUSMAN: Gray paper sack?

RAY: Yes, I guess.

HAUSMAN: Head and Shoulders shampoo?

RAY: Yes.

HAUSMAN: Then we have three different types of soap:

Cameo, Cashmere and Dial?

RAY: Yes, I guess.

HAUSMAN: Ah, some pairs of socks?

RAY: Yes.

HAUSMAN: Tooth brush?

RAY: Yes.

HAUSMAN: Colgate toothpaste?

RAY: Yes.

HAUSMAN: Toothpick?

RAY: I don't recall that.

HAUSMAN: Do you usually have a toothpick or -

RAY: No.

HAUSMAN: A white and yellow towel?

RAY: Probably so, yes.

HAUSMAN: Several pairs of undershorts, multi colored?

RAY: No, I don't recall those.

HAUSMAN: Do you normall wear white shorts or colored shorts?

RAY: I wouldn't pay no attention to it, the only thing is, I, I usually wouldn't bring any, it wasn't my intention to bring any clothing in the, in the rooming house because it gets stolen too easy. But they could of been mine but I don't have no recollection of bringing, I guess the laundry number would verify it.

HAUSMAN: But if you were bring up toiletries maybe you know, to bring underclothing wouldn't be unusual.

RAY: Well it's a possibility, yeah.

HAUSMAN: Ah, vitamins?

RAY: Vitamins? No, I don't have no recollection of vitamins.

HAUSMAN: Did you normally take vitamins?

RAY: No.

HAUSMAN: Any type of pills at that time or anything.

RAY: No, asprin was all I took.

HAUSMAN: And the bag itself? Cartridge case?

RAY: No, I think, I don't think I would have that in there, no.

HAUSMAN: Cartridges?

RAY: No.

HAUSMAN: No ammunition of any type?

RAY: No.

LEHNER: Where, where did you keep the ammunition?

RAY: When did I keep it? I never did keep any.

LEHNER: Well, didn't you have any ammunition that you bought at the Aero Marine?

RAY: Yeah, but I got, I got rid of all it.

LEHNER: Where?

RAY: In mo - In the New Rebel Motel.

LEHNER: How did you get rid of the ammunition?

RAY: When I got rid of the rifle.

LEHNER: When you gave the rifle to Raoul at the New Rebel,

did he look at it?

RAY: No, it was raining that night.

LEHNER: Did you open it up or did you give it to him in the box?

RAY: I don't have no independent recollection of giving him ammunition. I think what happened was, was ah, the ammunition was in the, in a case inside the box. Because I know when I, when I purchased it, it was put in there and I have no recollection of every taking it out.

LEHNER: When you purcashed the ammunition was it in the same box as the rifle or was it in a different box, at Aeromarine, think back to Aeromarine.

RAY: I think it was, I think all that stuff was placed in the same box because I have recollection of having some trouble getting, well the original box fitting in the rifle, it wouldn't fit in there or something, and they put a bigger one in there.

HAUSMAN: A bigger box?

RAY: Yes. I think although, I think everything was in there including the ammunition.

HAUSMAN: But when you bought the ammunition, when you bought the first rifle, the .243, did you buy ammunition for that rifle?

RAY: I don't remember if I did or not. I think so.

HAUSMAN: And then when you then went back on the 30th, did you buy ammunition for the .30-06 or did you exchange that box, or do you recall what you did with that ammunition?

RAY: Ah, there was some conversation about getting different

types of ammunition or something. Now, I, I do recollect it was two different types, but I don't know what kind, the technical term for them was.

HAUSMAN: You don't remember exchanging, specifically remember exchanging the ammunition?

RAY: Not the ammunition, no.

HAUSMAN: Did you buy any ammunition loose other than at the, than the one box of cartridges?

RAY: I know there was some conversation about getting different kinds of ammunition. I know I got two different kinds of ammunition but what kind they were I don't know. I found out later that one of them was some type of dum dums or something, but -

LEHNER: Well after you bought the second rifle you showed that to Raoul, you told us that, right?

RAY: Yes.

LEHNER: And that was at the Five Points place, that motel that you were staying at?

RAY: Yes.

Now I don't want to get into testifying of where I went and when I come back because that's --

LEHNER: Well we want get into -

RAY: That's going to have to be some alternatives on that, I know that now.

LEHNER: Right. You told, the last time you talked to us you weren't quite sure which time Raoul was there and how many times you went.

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RAY: Well I've since seen the paper and it said I was there, on stipulations I think it said I was there, the next morning, but I don't - I don't remember that. In other words I thought I got, possibly got the rifle, the second rifle the same day I took it back, but according to this paper I got it the next day. But I don't, I don't want to get into that until I find out for sure.

LEHNER: Let's leave that go -

RAY: All right.

LEHNER: -for the time being. Let's just take it to the - I'm just going to ask you about, since we are talking about this rifle and ammunition, when you got the second rifle and showed it to Raoul that was back at the motel? The, this was -

RAY: Yes.

LEHNER: - you told us this the last time?

Did you show him the ammunition too?

RAY: I don't, I don't have any independent recollection, but I'm almost certain that I would of probably got ammunition, but I don't, I can't remember that.

LEHNER: Did you and he discuss the sight that, the sighting as far as that was fixed to the rifle?

RAY: No, as far as I know the sight was never touched.

LEHNER: Now when he, he agreed that this second rifle was suitable, is that correct?

RAY: That's correct.

LEHNER: Did he, did he aim it, and sight it in and , and do anything of that sort?

RAY: No, I never did -

LEHNER: What did he do? How did he decide that it was okay? What did he do with the rifle?

RAY: I really couldn't say, he just looked at it and that was it.

LEHNER: When you say he looked at it, ah, how did it, what did he do?

RAY: Well he just checked it over and that was it. Just like you check a rifle over I guess, you -

LEHNER: Well, I wasn't there, how did he check it over?

RAY: Well he checked the mechanism and every -- I don't remember all the details, maybe he checked the mechanisms I think and just give it cursory glance and that would be it.

HAUSMAN: Did he check, pick it up and check the weight to see if it, how heavy the rifle was?

RAY: I think he just said this was, this will do or something of that order.

LEHNER: When you say he checked the mechanism how did he check the mechanism?

RAY: I don't recall, see I don't, I don't have the least idea on what the mechanism was all about.

LEHNER: Well he took it out, did he take it out of the box?

RAY: Ah, yes I think it was in the box, yes.

LEHNER: And he took it out of the box?

RAY: Yes, it was taken, it was taken out of the box and looked at yes.

LEHNER: Now he did that, Raoul?

RAY: Yes.

LEHNER: Did you lift it and check the weight and check the si - and look through the magnifying mechanism?

RAY: No, I, no the only time I looked at it, and I looked at it quite a bit when I first purchased it. I wanted to try to give the guy the impress that I knew what I was doing. But after that I never did touch it. There was never any touching of the sights or checking the mechanism or anything like that.

LEHNER: From the time you purchased that rifle in Areomarine, that was the last time that you touched the rifle?

RAY: Ah, yes, I would say so.

LEHNER: And then after that Raoul picked up the rifle and checked it out at, at the motel in Birmingham, is that right?

RAY: Yes.

LEHNER: And then how did it get back into the package?

RAY: Well he must of put it there.

LEHNER: And then he left the package with you?

RAY: Yes.

LEHNER: What about the ammunition?

RAY: I'm, I'm about 95 percent positive that the ammunition was in the, was in the box with the rifle. But there was more than one type ammunition that's the only thing that I recollect clearly.

HAUSMAN: More than one type when you gave it to Raoul or more than one type when you first bought it and exchanged it?

RAY: When I purchased, when I bought it, purchased the rifle.

HAUSMAN: You purchased two types of ammunition?

RAY: Yes.

LEHNER: What two types were they?

RAY: I don't know.

LEHNER: Now in the New Rebel did he look at the rifle again or just pick up the box without looking at the at the rifle?

RAY: Now he didn't. He didn't look at the rifle and that was unusual, and I think I put it in, I think he had a rain coat on or something and it's got, he got it under his rain coat.

✓ LEHNER: Now, did Raoul normally wear gloves or not?

RAY: I didn't --

LEHNER: You ever see him with gloves?

RAY: No, I don't recall now.

LEHNER: And in the, in Birmingham when he looked at the rifle was he wearing gloves or was he not wearing gloves?

RAY: I don't recollect him wearing gloves, no.

This don't mean anything because I usually always wear things over my fingers anyway.

LEHNER: What do you always wear?

RAY: Band-aids, colorless band-aids.

LEHNER: Did he use to wear colorless band-aids?

RAY: I kind of assumed he did, most people do, like that do. Well I don't know but I just assumed that.

LEHNER: You've seen him in Montreal, you've seen him

in Mexico, you've seen him in Atlanta, Birmingham, Memphis, did you ever see any band-aids on his fingers?

RAY: I just never, I never looked that close. I mean I know it's a common practice and I do it all the time or if I'm going to commit some type of an offense or robbery or something and he's --

LEHNER: You've driven with him from --

RAY: I mean if somebody were to come in June or July, if you come in July and you have a pair of gloves on it would look like -

LEHNER: Well you've driven with him from Atlanta to Birmingham, ah, from Brimingham one time to Atlanta, then Atlanta to Birmingham, you drove with him in, in Mexico, you were with him in Canada, did you ever see him with band-aids on his hands?

RAY: No.

LEHNER: Okay.

RAY: I've drove with other people. I drove with Stein all the way to New Orleans and I just never -

LEHNER: Did he have band-aids on his hands?

RAY: I'm just not, I don't, I don't even know what kind, if he had hands, I just didn't pay any attention to it. It's just --

LEHNER: You see me do I have band-aids on my hands?

RAY: Yeah, but I'm just not interest in what somebody else is, ah -- I mean -

LEHNER: But you, Well you say it's something that you normally do, when did you have band-aids on your hands during that

year, '67 and '68?

RAY: Well I wasn't pulling any robberies, but if I was I would, I'd been wearing them for 20 years, so whenever you go in a supermarket say, you are going, you put some band-aids on your fingers.

LEHNER: You didn't --

RAY: Huh?

LEHNER: You didn't commit any robberies?

RAY: The whole time I was out? Not, not a single one.

LEHNER: Not a single one-

RAY: Not a single one.

LEHNER: -from your escape from Missouri State?

RAY: Not, not one.

LEHNER: Well what about in Canada?

RAY: Well, yeah that one there but that one don't count.

LEHNER: Why doesn't it count?

RAY: Well, that's a legitimate one.

KERSHAW: You don't count whore houses, anybody knows that.

LEHNER: Well were you wearing band-aids during that robbery?

RAY: Well the point I'm trying to make is I wasn't out there committing crimes or anything else. I've committed two or three insignificant things but nothing -

LEHNER: Well was Raoul out there committing crimes?

RAY: I don't know if he was or not. I assumed so.

LEHNER: Robberies?

RAY: Robbers?

LEHNER: Robberies?

RAY: I couldn't say. I can just say what I was doing.

LEHNER: Were you wearing band-aids during that robbery of the, of the whore house?

RAY: Ah, no.

LEHNER: When was the last time you wore band-aids?

RAY: Ah, 1959.

LEHNER: Did, well why don't we continue on the list, we'll go on with this.

HAUSMAN: Just a few more items that they found on the front page. Ah, the rifle box for the Browning rifle?

RAY: No, I don't recollect that.

HAUSMAN: The last time you saw that would of been in the New Rebel?

RAY: You're not, you're talking about something else that was found in the street was you, the rifle box?

HAUSMAN: The package -- Well, with that zipper bag, the package found in front of Canipe's. These are the items that were found either wrapped up or --

RAY: No I, No I don't recollection that.

HAUSMAN: Binoculars?

RAY: Yes, ah, yes.

HAUSMAN: When was the last time you saw the binoculars?

RAY: On the, I think they were laying on the bed.

HAUSMAN: That's after you came back from York?

RAY: Yes.

HAUSMAN: You gave them to Raoul or -

RAY: Yes. I think I just threw them on the bed, I don't recollect think, I don't / anyone handling them. I think I handled them when I purchased them and I just threw them on the bed and said here they are or something.

HAUSMAN: Did he check them out to see if they were the right power or good enough to sell to the people he was going to deal with?

RAY: I don't know. I think that was the second time. I made two trips down there. I think that was the second trip, and I think after that trip I had to go somewhere or something I think I told him I was going somewhere or something and I was in there a very short time and, two or three minutes at the most.

HAUSMAN: You mean you came back from the second trip to the York Arms and he said throw the binoculars down and you just threw them down?

RAY: I told him they were the wrong kind and that was it and I just, he said it was allright or something. I was suppose to get some type of a infraray binoculars, and I told him that the salesmen told me I would have to go to, ah, an Army Surplus store or something and that was it.

HAUSMAN: He didn't care what, it wasn't that important at that time?

RAY: Not at that, not after I told him that, it didn't appear important.

LEHNFER: Did, were these adjustable as far as, as far as seeing through the binoculars?

RAY: I never did look at them.

LEHNER: Well at the store did the fellow explain to you that they were adjustable?

RAY: I asked him for the infrarays and he mentioned the Army surplus, and I asked him what kind he had and he said he had the regular kind or something and there's some question about whether you can screw something on them and make them infraray, so I told him to wrap them up, and he handed them to me and I said, I think he handed them to me and I looked at them and handed them back to him or something.

LEHNER: When he handed them to you, you looked at them? Did you look through them to see if they were clear?

RAY: No I think he handed them to me just like a salesman trying to sell something. And then I think he probably, I think he said he had two or three kinds or something. I'm not, the fellow was kind of nervous anyway and I think I paid him and that was it. I don't pay much attention.

LEHNER: So when he handed them to you, you just handled them but did not look through the lenses?

RAY: No I have no recollection of looking through the lenses.

LEHNER: And then what, you put them in a bag or a box or something?

RAY: He, I think he put them in, wrapped them up or something.

LEHNER: And then you brought them back to Raoul. What did Raoul do with them?

RAY: Yes. Well, I told him I couldn't get the ones he wanted and he said okay them's all right, whatever you got.

LEHNER: Did he look at them?

RAY: I don't, I don't have no recollection of him looking at them. I think I just, I think I threw them on the bed and that's the last I saw of them.

LEHNER: In the box or out of the box?

RAY: I guess it was in the box. I don't have any recollection of ever taking them out of the box.

LEHNER: And he didn't even look at them?

RAY: No, I mentioned, I mention when I had the wrong kind and he said, well that's all right or something. I told him the, the infraray business.

LEHNER: Did he tell you, ah, how much to pay for them?

RAY: No.

LEHNER: How did you decide what price to get?

RAY: I just got the cheapest ones I got, I suppose. I assumed the guy asked me, that's my standard way I operate on something that's not specified. But I know I did ask him about the other kind, the other type first and when he didn't have them why I just took whatever he had.

LEHNER: Well, why did you buy the cheapest?

RAY: I think that was the cheapest, I probably -

LEHNER: Why did you want to buy the cheapest?

RAY: Why did I want to buy the cheapest? It was my money, he didn't give me any money to buy anything.

LEHNER: How much money did you have?

RAY: At that time? I didn't have too much. Ah, 12 or 1500 dollars I suppose.

LEHNER: How much?

RAY: 12 or 1500.

LEHNER: 12 or 15 hundred, how did you have 12 or 1500?

RAY: How come I had that much?

LEHNER: Yeah.

RAY: Well I just had that much.

LEHNER: Well, did you understand that Raoul wanted to sell these binoculars to the, to the person that he was going to sell the rifle to?

RAY: Well when he said the infrarays I thought maybe he was trying to possibly sell something. I didn't -

LEHNER: So that this would be like a, a sample of something that he was going to sell to the Latins?

RAY: I thought, I thought that the rifle was a sample and the whole conversation about the army surplus rifles, but the, the, ah, binoculars I didn't put any significance on them except the infraray business.

LEHNER: Well Infra-

RAY: And as I heard, I heard one time about military rifles.

LEHNER: Infrared binoculars would be an expensive binoculars-

RAY: Yes.

LEHNER: -so that you could see well at night?

RAY: Yes.

LEHNER: Is that correct? It was your understanding that he was going to try to sell that to the Latins as part of the deal, right?

RAY: There was no mention of that.

LEHNER: Well was that your understanding?

RAY: Well I made certain assumptions, I just didn't -

LEHNER: What was the assumption you made about it?

RAY: I thought maybe it was the possibly they were going to be.

LEHNER: So why did you take it upon yourself to buy the cheapest kind, because you certainly didn't buy the cheapest rifle, you bought a very expensive rifle, why did you buy such a cheap pair of binoculars?

RAY: Well it was the wrong kind. If they had been the correct kind then I would of went ahead and bought the right one. I didn't know where, the fact is I still don't know if infraray is where you screw them on or whether they come all in one piece or what. But the guy at the store give me the impression that they clip on or something like that.

LEHNER: Well, what do you think the reason why he was so particular about the rifle and made you go back and exchange it, and yet with the binoculars he doesn't specify that he wants an expensive pair, that when you give it to him not only does he not send you back for a different type, more expensive, but he doesn't even pick it up. You just throw it on the bed and he doesn't even look at it.

RAY: Well I think there's a difference here, when, when I bought the binoculars the fellow said he didn't have it. Now it's entirely different with the rifle. He, you know he did have the other type of rifle and I just don't see any significance.

KERSHAW: Besides by that time Raoul knew that King would be there before dark and he didn't need the God damn infrared binoculars. I've already figured that out.

LEHNER: Well, I'm just, I'm just thinking about in your mind, James, in your mind this is going to be sold to the Latins and you know that he's interested in getting a good rifle to sell to them and you are taking it upon yourself with 1200 to \$1500 to buy the cheapest binoculars even though he's wanting expensive binoculars like infrared-

RAY: He just said -

LEHNER: -and he doesn't even pick them up to look at them, doesn't this give you some kind of suspicion?

RAY: No because I got the wrong, I mean, they didn't have the kind I wanted. If they'd had the different kind, if he'd asked me to go there and get a certain kind or I got the wrong kind or something like that it would of been a mis- a different story. But he didn't seem interested in it, and I really don't press the point. It's just like in jail, if somebody gives me a package and says take this down to A cell and I take it down there and give it to him and he takes it, well that's it, I mean I don't, if the other party don't make no issue of it, I don't make no issue of it either, you know, I'm just more or less getby or whatever you want to call it. So, I wouldn't attach, I didn't attach anything to that at all

KERSHAW: I think it might be a wrong assumption at my own expense and the red- infrared binoculars anyway, it at anything, it's got a little old red film to snap over them.

HAUSMAN: Let me just -- Three or four more items. I think the last one we had was binoculars, and you said -

RAY: Yes.

HAUSMAN: -the last time you saw that was when you threw them on bed. Ah, binocular case?

RAY: I can't recollect that, there must of been a case there but I don't have no independent-

HAUSMAN: Binocular box? Do you remember how the binoculars were packed?

RAY: No.

HAUSMAN: Were they in a case and then in a box?

RAY: They was wrapped up but I don't know what they were wrapped in.

HAUSMAN: Okay. Springfield Rifle, .30-06.

RAY: No, I don't have no recollection of that.

HAUSMAN: The last time you saw that would been?

RAY: The day before that probably.

HAUSMAN: Back in the New Rebel?

RAY: Yes.

HAUSMAN: An Adjusto watch band?

RAY: I may have had that I don't know.

HAUSMAN: Did you normal wear a watch?

RAY: No, I'm inclined to think that wasn't mine. Because I got robbed for a watch in Los Angeles and I bought a new one. So, I would just have one watch. I can't, I don't recall the band at all.

HAUSMAN: But it might of had, just a spare band?

RAY: Yeah, but I don't, I wouldn't know where I got it at. Because it could have been mind but I don't have no recollection of it at all.

LEHNER: Any of these items, ah -- Well let me just withdraw that for a second. Now thinking back you say you remember the newspaper, buying it at the New Rebel, is that right?

RAY: I may have, I don't know. I mean it's just, I usually buy a newspaper so that's why I think maybe I bought it.

LEHNER: Did you just drop that off on the bed when you were up there, or what did you do with the newspaper when you were up in the room?

RAY: I don't have no recollection, it may have been -- I can't, I can't understand why I, I usually buy a paper and glance through it and just leave it in the motel or wherever I'm at. I don't know why I would be carrying it around. But I'm not saying I didn't, I wasn't carrying it around.

LEHNER: What if, did, do you recall Raoul taking a look at the paper?

RAY: No.

LEHNER: What was he doing when he was in the room?

RAY: I didn't see anything he was doing. He was, ah, --

LEHNER: What did you have the bobby pins for?

RAY: I don't even recollect-

LEHNER: I'm sorry.

RAY: I don't even recollect, recollect having them. I'm just assuming they may be mine. The only thing that I,

the watch band I don't have no recollection of having it at all.
I don't have no recollection of having the beer, or the bobby pins,
I don't know what I'd be doing with those. And, but some, some -
Possibly some woman could of left them in there so-

LEHNER: And did he have any possessions up in your room?

RAY: Not as I know of. I think he had a transistor radio,
but I don't know, I'm not positive of that.

HAUSMAN: So you had two transitors up there?

RAY: I thought he had one in his pocket I didn't -

HAUSMAN: And you had your's that you had taken since
Jefferson City?

RAY: Yeah, well I, well the one I had would of been
smaller than the one of his.

LEHNER: Did he handle any of these items that we are talking
about while, while up in your room?

RAY: I couldn't say, I wasn't in there over 15 minutes.
I suppose anyone could handle them.

LEHNER: No, when you were there did he handle any of your
items?

RAY: No I don't think he handled anything of mine.

LEHNER: Where was the, where was the rifle that he had taken
from you the previous day at the New Rebel?

RAY: I don't know where it was at.

LEHNER: Did you ask him?

RAY: No.

LEHNER: Well he was suppose to show to, to Latins up there?

RAY: Well I assumed there was nothing, he had a room rented
in the other part of the building.

LEHNER: What made you assume that?

RAY: Oh, by his actions, his conversation.

LEHNER: What, could you specify what actions and what conversation.

RAY: Well he was familiar with the place, ah, I just assumed-- I don't know it's just certain assumptions you make, it's difficult to explain how you make them.

LEHNER: Did you ask him where he was going to spend the night?

RAY: No.

LEHNER: Did you ask him where his car was?

RAY: No I didn't ask him, he asked to use my car so I assumed he didn't have one.

LEHNER: Well how, what did you assume as to how he got to the New Rebel, a motel, without a car?

RAY: I don't know how he got there, I assumed that he had, that he would of had, would of either had to have a car or a taxi cab.

LEHNER: Well, what do you assume as to how he left the New Rebel when it was raining out with the, with the rifle?

RAY: He would of had to have something because the New Rebel is kind of a, it's not in the main part of town, you couldn't just walk down the street with the rifle.

LEHNER: He didn't call for a taxi when he left your place did he?

RAY: No he could very, well you could of had one waiting or something.

LEHNER: How long did he stay at your place?

RAY: Very -- Not very long.

LEHNER: How long?

RAY: 10 minutes I think at the most. We changed, we exchanged some addresses and that was it.

LEHNER: He didn't ask you to give him a lift with your car?

RAY: No.

LEHNER: He knew your car was out front, right?

RAY: Well he should of, it was parked in front of the building, I don't know.

LEHNER: So there was no, there was no need for him to have a taxi cab waiting since you were, you had driven from Birmingham all the way to, to Memphis just to meet him to give him the rifle, certainly he wouldn't feel that he was imposing upon you to have you drive him from the New Rebel to wherever in town he wanted to go, right?

RAY: Well it's a possibility he wouldn't want me to see where he was going, ah --

LEHNER: Well he could have you drop --

RAY: I, I've --

LEHNER: -he could have you drop hom off a block away from where he wants to go, he could of done that, right?

RAY: Well he could of, I don't, I --

LEHNER: You don't think that he had a cab waiting outside the New Rebel all the time he was in there, do you think so?

RAY: I think it was very possible, it wouldn't be \$5, it wouldn't be, it probably wouldn't bankrupt him, if someone

had a cab waiting for a few minutes. But I couldn't see anybody walking that - it was raining that night hard, I couldn't see anyone walking down the street.

LEHNER: Did you see him taking a, with this box, how, what kind of box was it that you had the rifle in?

RAY: I don't recall just what, oversized I think.

LEHNER: Did it say Browning Rifle or whatever it is on the outside of the box?

RAY: I couldn't say, I never paid any attention to it.

LEHNER: Was there any wrapping around the box, plain paper, or was it in a box that would specify that it was a rifle?

RAY: Ah, no, I don't think so, I don't know if -- I have some recollection of something being wrapped around it or something, but I don't know if it's a sheet or bedspread or what. I just didn't pay any attention to it. It -

LEHNER: Well -

RAY: I didn't - Rifles don't interest me.

LEHNER: Well rifles might not interest you in general but you being an escaped convict it would be of interest to, you would be interested in making sure that someone didn't catch you with the rifle, is --

RAY: Yeah, that's the only interest to me, now, I didn't -

LEHNER: I assumed that you were interested in that. Now you, you carried this rifle in your, in your car did you not?

RAY: (No response).

LEHNER: Where did you keep it in the car, what part?

RAY: In the trunk, the trunk.

LEHNER: Well did you have a sheet around it or was it in a box without a sheet around it?

RAY: I probably, I think I probably stuck it in the back and put junk around it to keep it from being exposed in case I had to get in the back of it.

LEHNER: When you brought it into the New Rebel was there, was there anything wrapped around it?

RAY: Ah, I have a recollection of something may have been wrapped around it, but I'm not, I'm not, I'm not positive. I think -- if I had to testify under oath I would say it was something wrapped around it.

LEHNER: What?

RAY: Maybe a sheet. Possibly a sheet.

LEHNER: So when you gave it to him there was a sheet wrapped around it?

RAY: It might of been yes, or something darker, but I'm not, I couldn't -- the only thing I would say is there was something wrapped around it when I got rid of it.

LEHNER: What's your reason for sus-, for thinking that he wanted you to carry this rifle all the way from Birmingham to Memphis and then he takes a cab up, picks up the rifle and has to transport this guy - rifle by cab with just a, possibly a sheet around it to camouflage?

RAY: Well he may have had some - He may have had someone in a car out there, I don't know. But there was some conversation when we was in Birmingham that he was going to New Orleans or something and that was the excuse for me to take it to Tenn- to take it to Memphis.

LEHNER: Well wasn't it the fact that you, what was the reason that he sent you into buy the rifle rather than buy it himself?

RAY: Well, I can't, I can't understand it, I don't know.

LEHNER: Well wasn't it that you were taking the risk, he was paying you so you were taking the-

RAY: Yes.

LEHNER: risk of buy the rifle and transporting the rifle?

RAY: Yes.

LEHNER: Then why did he take it upon himslef to transport the rifle from the New Rebel to this rooming house where all the would could see him walking in with that rifle into that rooming house in broad daylight?

RAY: Well, I don't know if there's any testimony ever been house the rifle got to the rooming house. I don't know, it could of been took up there at nighttime or it could of been, maybe it was never in there, I don't know.

LEHNER: Well if it was in there at nighttime-

RAY: You ran ballistics, I mean is it the real one or what?

LEHNER: Well the ballistics test as I have told your lawyer today are still being conducted. The experts have been in Washington all weekend, and they have finished their test Tuesday, and they are going to come back we think at the end of October to write their final report. Ah, but you're talking about a rifle that you are transporting all across the Mississippi to the New Rebel, and then Raoul decides to transport it the last

leg of the way up until the very place where he doesn't want
to be seen with the rifle if he's planning to shoot Dr. King.
Why, why do you suspect that he would of done that? Why didn't
he have you transport it up there?

RAY: I really don't know why, that would be relying on
me quite a bit seems like to me to get a rifle in here a certain
time. I, I suppose if you were going to shoot someone, you,
you'd want, you really wasn't quite sure whether it was going
to be day or night, you'd wan't, you'd want to have it a little
ahead of time, but, there's so many -- See, I've got a note
wrot- I've got a note wrote down here on this thing, it says,
'reason threw bag down, car gone', ah --

LEHNER: What does that, what does that mean?

RAY: Well, I mean that's just another -- these are all
hypothesis, it's dif- well you can raise up 15 or 20 hypotheses
and try to conclude which one's correct and which one isn't.
But me and Foreman talked about this here on February 13th,
when I got this note that says "threw bag down, car gone",
well, we hypothesized that the car was gone. So, ah --

LEHNER: The reason, the reason that who threw the
bag down?

RAY: The reason threw bag down-

LEHNER: That who threw the bag down?

RAY: Well anyone threw the bag down.

LEHNER: The reason that anyone threw the bag down was
what?

RAY: Yes. Well we was trying to hypothesize the reason

someone would would put a bag in, in front of a doorway. So, we, I think we hypothesized if you run out the door with a rifle and you see your car was gone you'd probably throw the bag and rifle down and take off on foot, so -

LEHNER: Did he expect, did he expect the car to be there?

RAY: Well if I had moved it, it, he might of - he might of expected it. Of course that's just our, one of our hypotheses if you, in otherwords if you shot someone and run down the stairs and you intended to use the car for a getaway and it was gone why you would --

LEHNER: Did he expect the car to be there?

RAY: I think so. But --

LEHNER: Well -

RAY: -that doesn't mean it's correct.

LEHNER: Didn't he tell you- Didn't he tell you to go to the movies?

RAY: Yes.

LEHNER: Well -

RAY: But -

LEHNER: How did he know you weren't going to take the car to go to the movies?

RAY: Well the movie's about two blocks down the street.

LEHNER: Well how did he, how did he know that you didn't like that movie and you were going to to another movie in a different part of town?

RAY: Well he done told me he wanted to use the car that night for some reason.

LEHNER: What time did he want to use it?

RAY: Well I, I didn't -- He didn't specify the time.

LEHNER: So you could of driven the car away, come back at 7:00 to give him the car for that night?

RAY: Well that, that was just the hypothesis, I'm not saying it's correct. We were just trying to work out a, a defense.

LEHNER: What does it say under reason threw car, or bag down car gone?

RAY: We -- Can you read your's?

LEHNER: Well --

RAY: I've got one maybe wrote clearer, huh-

LEHNER: It's tuff to read, let me give you my copy and see if you can read it a little better?

RAY: We buy --

LEHNER: Maybe that first word is, use?

RAY: It looks like, use bag to carry binoculars and shells, yes.

LEHNER: What does that mean?

RAY: Huh.

LEHNER: What does that mean?

RAY: Well that would mean use the bag to carry the binoculars and shells in.

LEHNER: Why did you write that?

RAY: Well these were just hypotheses we were thinking up trying for a defense. And these things I would discuss with Foreman when he came up here or he'd discuss with me.

LEHNER: But if he told you just to go to a movie, and

he told you he wants to use it that night, and didn't specify what time, right?

RAY: Yes.

LEHNER: And he planning to kill Martin Luther King, he won't know whether, that his getaway car is there or not, right?

RAY: Well, unless he had another one.

LEHNER: Well if he had another one why would he have to through the bag down if the car's gone?

RAY: Well, no, maybe the other one's for, maybe the police could see it, I don't know, I'm just -

LEHNER: Where would the other one be?

RAY: I couldn't say. Wherever, I think -- I think there's been witnesses testified that there's a car left there in a different area within where I was parked at. Now if that's correct I don't know.

LEHNER: So you mean he had a second car?

RAY: Well Arthur Hanes, now he, he claims there's a second a car, I don't have no knowledge of it myself.

LEHNER: Well what would happen if your car was there, if you had left the car there, would he of used your car?

KERSHAW: He would of driven off in both cars to confuse the police.

RAY: He had, he had a set of keys to my car, I know that. So I don't know if he would of used mine or not.

LEHNER: Well, if you, what, if your car was still there he would of used your car and left his own car there?

RAY: Well I don't know. These, these are all hypotheses.

I suppose very well if he had used my car it would of put the heat on me.

KERSHAW: Like throwing the bag full down, full of his stuff to put the heat on you.

RAY: I suppose he could -

LEHNER: He would of used your car and driven away in your car, but he would of had to left his own car because he had his own car as a back up car, right?

RAY: I don't know if there was anyone else driving, driving in that area, you know, to pick him up or what.

LEHNER: But if there's someone else to drive to pick him up, that somone else would of been there and he wouldn't had to dropped the bag down.

KERSHAW: He would/had to drop the bag down.

LEHNER: But you were hypothecating that he dropped it down because the car was gone, right?

RAY: Yeah, see these hypotheses, ah, at that time, you know I'm in a different position now, now I've got to prove I'm not guilty. But at the time it was, you know, it was up to the State to prove I was guilty and what we were doing is tring to get these, the hypothesis to where we could maybe prove ours and we would be more stronger than the State. So, ah -

LEHNER: Well did you think, did you think that he, when you were waiting trial, did you think that Raoul had set you up?

RAY: Not particular no.

LEHNER: Well did you, did you think that he dropped the bag with your finger prints on the gun because he wanted to have you as the scapegoat?

RAY: Well I don't know. I, I always assumed people do things, you know, in their own interest. No necessarily opposing my interest, but it might work out where it would be opposing my interest. As far as the bag goes that's why I've got down here, you know, carrying the, I tried to figured out why somebody, why someone would anything, why he wouldn't want a bag. Well if he wanted a bag he he might want to carry ammunition in it. You know, incase the police jumped you up. If the police jumped you up why I suppose the ammunition and the rifle would come in fairly handy. So that's why I hypothesized from that position.

LEHNER: Well, what I'm -- What I'm trying to get at is, if he dropped this bag down with your finger prints on the gun in your mind was he doing that to lay susupicion on you?

RAY: Well I don't think not necessarily.

LEHNER: So you think that he probably would of tried to get away with the gun?

RAY: Well I think, I think anyone would try to, on a murder charge would try to shift the heat a little bit. But it could be done in several ways. I, I assumed that this stuff was found in my car and parked four or five blocks away and all these rifles and binoculars or whatever it was in there, it would probably throw a little heat on me, you know, in order to get the other person, you know he could get away, but --

LEHNER: You think that he was going to put the, the gun in your car and then take off in another car?

RAY: Well that's possible, or he could use my car, because I gave him the keys and he could of left it three or four blocks away as sort of a getaway car. That's the way I look at things of course I look at it from the --

LEHNER: Well wouldn't that be that he was trying to put the heat on you then? Leave a gun with your finger prints-

RAY: Well I--

LEHNER: -in your car three or four blocks away.

RAY: Well that's possible, well that's possible. You see, but I always try to look at the best, you know the best in everyone so I don't seem to be --

EVANS: Gosh, you're doing 99 years.

RAY: Yeah, I know it. But I assumed everyone looks at, I just assumed everyone is looking out for themself and if, if it comes between you and them, well naturally it's going to be them. Because I know that's the way I would look at anything because if it was up to me or another party then it would just have to be the other party.

LEHNER: You've had nine years to think about this now. Do you think that Raoul if he could of would of tried to get away and not put any heat on you?

RAY: I think -- I think, well, I think it would of been in his interest, I know it would of been -- I try to think you know, what's in my interest, how I would act in a similar situation. I think it would of been in his interest to shift the heat on me, definitely that. Well, how, how much heat he wanted to shift on me I can't, I couldn't answer that, that's another question.

LEHNER: And he shifted the heat on you and away from him-

RAY: Yes.

LEHNER: -if the gun was found with your finger prints and not his, right?

RAY: Yeah. See I don't --

LEHNER: So, therefore, you think that he disposed of the, of the gun with your finger prints on it to draw heat away from him and on to you, isn't that right?

RAY: See, the only thing I can think of was, when I would of been trying to, framed at would been on the binoculars, because I handled those, but as far as the rifle was going - Ah, it could of just as well turned out that my prints would of never been on them because it'd been so long since I'd handled it, but --

LEHNER: How did he know that you handled the binoculars? You didn't handle the binoculars in his in his presence. For all he knew you bought those binoculars in the store and you looked at them and they were put in the box and that was the end of it.

RAY: Well there's certain assumptions that you make though. Because if you go buy something, I mean, they're in a box where your finger prints are going to be on them. Ah, the only thing in the whole case that makes me think that somebody is trying to put the heat on me is the binoculars. It's not the rifle, it's not the case and all that stuff. It's --

LEHNER: Just, just try to think of this. Do you think that he dropped those, that, that bag with your finger prints on whatever

is in there to draw the heat on to you and away from him?

RAY: Yes, it's just a matter of degrees, is the only thing, word we differ on. I know I don't think it was malicious. I look at it as a professional rather than malicious.

LEHNER: Forget about whether it was malicious or not, he wanted to put-

RAY: All right.

LEHNER: -the heat on you and away from him.

RAY: Yes.

LEHNER: So he dropped the bundle there, right?

RAY: Well it's possible I don't know, it's-

LEHNER: All right, then why are you hypothesizing that he dropped it there because the car is gone?

He's gettin-, the way, the way you are figuring it out is that he has someone else to drive him away. If he has someone else to drive him away the reason he drops it is not that the car is gone, if the reason he drops it is he wants to take the heat away from himself and put it on you. So how does this comment that you made to, to Foreman make any sense?

KERSHAW: It's an alternative.

RAY: We, we didn't discuss one hypothesis, this is just one of many. Ah, see I tried to put myself, I don't have all these devious ways of looking at things, I try to just put my position of what I would of did if it had been my position. If I would had the police on me I would want some type of weapon to defend myself, especially if I had, you know, on a murder charge. And, now I figure that's the way someone else, of course, I

mean you could always, like you say you could, you could lay something down there to put the heat on someone else, but, you know there's two ways to look at a criminal. Some criminals they look at things the devious way, the con man, and then some type of a armed robber, or something they look at things more or less more straight on. And I can't look at all these various angles. The only thing I was doing is just trying to, you know, get one hypothesis where it would sound reasonable and go ahead and put it on the jury.

EVANS: Did you ever hypothesize as to how Raoul carried out the commission of the crime?

RAY: Ah-

EVANS: Did you ever place yourself in his position?

RAY: With reference to the bag I have, yes.

EVANS: In reference to the whole thing?

RAY: No I haven't.

EVANS: All right, did you ever hypothesize as to whether Raoul did or did not do it?

RAY: Ah, yeah, yes I have in, for legal reasons.

EVANS: Okay. And what did you come up?

RAY: Well I'd just say I wouldn't know. Because I didn't, see anything and that, where I --

EVANS: Well based on what you know about the case, what you've read, what you've heard, how do you think it was committed?

RAY: The crime?

EVANS: Yeah.

Taking into consideration that the bundle was left in front of Canipe's which implicated you.

RAY: I think this was my head right at the time, and I think, I'm still inclined to think that somebody came down the stairs to get in the car and the car was gone and so they just left the junk.

EVANS: All right. Prior to that, say from the time that you left Raoul, and you left the box in the room, in the time you left until the box was dropped had you ever thought about time what occurred inbetween that/that caused whoever the person was that dropped that box to drop it there?

RAY: No I don't know, I haven't read enough, I'm not trying to be evasive.

EVANS: Yeah.

RAY: I haven't read enough to really determine just when the box was dropped. There's some people that say it was 15 or 20 minutes before the shooting. And some people say it was after. So -

EVANS: All right. Well what I'm saying is, did you ever give any thought to what occurred in that room in the bathroom or what occurred in that particular rooming house in that particular arear of the rooming house after you left, which ultimately resulted in that box being dropped in front of Canipe's?

RAY: Well, yes, I thought about it, there's really just, I mean there's just two, two answers to that, it would be he was either shot from the rooming house or shot from the bushes down stairs.

EVANS: Shot from the bushes down stairs?

RAY: Yes.

EVANS: Okay. All right, let's assume that he was shot from the rooming house, can you imagine how that could occur? Have you given it any thought?

RAY: No I really haven't given it that much thought, how, how --

EVANS: Could you think about it now and sort of verbalize for us for us what you think might of occurred?

RAY: Well see I've heard, I've heard so many different things that's it's difficult for me to really come up -- At the evidentiary hearing we had an expert witness testify that it would be impossible to shot anyone from the bathroom. So it's, it's really difficult for me to come up with any hypothesis. The only thing, I always look at things possibly the way I do and I figure, I always assumed that a weapon would come in handy if you every had to make a getaway from some serious crime. But other than that I could speculate on any other.

EVANS: Okay in that light a weapon needed, is need to make a getaway. Ah, why would you need a weapon?

RAY: Well I suppose if the police jumped, jumped you up or something like that you would probably need it.

LEHNER: You would need a rifle or you would need a handgun?

RAY: Well I mean I'd rather have a handgun but I could see where someone else may rather prefer a rifle, since I'm more conversed with a handgun, but -

LEHNER: Well if you just used the rifle to kill Martin Luther King you wouldn't want to have to be found with that rifle would you? You'd rather if you had to, if you could you'd try to get rid of it wouldn't you?

RAY: I assumed -- Well, yeah, after you got out of the area you'd probably get rid of it, but I'm, I don't know if you would want to get rid of it right away. Well, like I mentioned, I'd, I'd much rather have a handgun, not only the police but somebody might try to snatch, grab you or anything like that, but I don't know how, some people prefer a rifle, some prefer a shotgun. I'm just telling you my preference.

LEHNER: Well is it, do you think that what might of happened was that Raoul used that rifle to shoot from the bathroom, put it in a bag, dropped it in front of Canipe's and made the getaway?

RAY: Well I, I couldn't say that.

LEHNER: Is that a possibility?

RAY: Well I guess if there, there's witnesses there that seen it, the police seen it, they know. I mean you you really don't have to ask me because people, other people know about it.

LEHNER: Well I'm asking you not because you are a witness, I mean according to your account, but what you think is a possibility you knowing Raoul, and you knowing the situation, you being, doing 99 years for it, I'm sure you have a lot more time to think about it and a lot more interest in it than most other people. Now I'm just asking you, is that a possibility that Raoul used the, the rifle that you bought at Aeromarine to shoot Dr. King

through the bathroom window and then dropped it with other items in front of Canipe's and made a getaway?

RAY: Well there had to be some reason to drop it there because the only reason that it could of been dropped there other than being some type of plant or something is, if he couldn't get to the car or something like that, because , ah, I can't see any other reason for, for a, for dropping it. See, see, see Huie, these various book writers they say that I dropped it there so that I could get publicity, but I mean I don't really know how you could accept that because if you did, if you accepted something like that you'd have to accept the person was insane and he should be in a lunatic asylum, so I can't --

LEHNER: Is it possible that someone could of dropped it there because they saw some police officers and they figured they would rather not be found with the rifle but to rather to drop the rifle and make a getaway without the murder weapon?

RAY: No, I can't see, I can't --- I -msan I've been told that several times but I can't see anyone dropping the bag, the rifle if he sees the police officers, because if he does that the police officers can see him. So --

LEHNER: When you, when you say you were told that several times who told you that?

RAY: Ah, right after I got in the prison apparently the prosecuting attorney told Avery to say, hold a news conference, he was the Correction Administrator, he held a news conference and he said that James Ray dropped the bag there because he seen the police officers. And I got to thinking aobut that for a while, and I said, well that really don't make much sense

because if somebody drops a bag, because he sees police officers, well the police officers is going to see him. So -

LEHNER: Not necessarily.

RAY: Huh.

LEHNER: You mean you never seen someone who didn't see you?

KERSHAW: Might, he might be turned the other way, he might see the back of a police officer.

RAY: Huh?

LEHNER: You never seen someone who didn't see you, you've never seen a pol car, and rather than take a chance on having the officers in the car see you, you, you dispose of something, isn't that a possibility?

RAY: That's a possibility. I've never been in that situation, but I, I could see it would be.

LEHNER: You've never been in a situation where you were traced, where you saw police officers after, after you --

RAY: Well, well let -

LEHNER: After you've committed a crime have you every been in a situation where you saw police officers?

RAY: I can't think of any.

LEHNER: No?

RAY: Let me, let me ask you this, if the police officers, if the police officer, if he could see the police officer you know they are going to see him if he gets in the car and runs off in a cloud of dust they got to see that.

LEHNER: Well not necessarily.

RAY: There's only a police officer there, and I've talked

to these police officers, the only police officer there would, were within a hundred, hundred feet of the rooming house. And if there was any cars or people running out of that rooming house they are going to see them.

LEHNER: That's assuming that they were directed to Main Street and not to Mulberry Street where the crime occurred.

RAY: Well, from conversations that I've had with them they all didn't go to Mulberry Street.

DeFour went to Mulberry Street, but Barry never did go to Mulberry Street. According to Berry and some of the other ones there was, I think there were three, three attack cars and there were four officers in each attack car. I have checked into that.

LEHNER: Well I can't, I can tell you that witnesses have been spoken to and they heard the bundle dropped and that very shortly thereafter police arrived. So I can tell you that it was certainly within the realm of possibility that the person who dropped the bundle saw a police officer. Now I can also tell you that no police officer saw the bundle dropped. The police officers that have been spoken to. So in all fairness I'm, I'm telling you what has happened as far as the interviews that are being conducted, that it is apparent that the bundle was dropped shortly before the police officer found it and that no police officer saw the bundle dropped. And in viewing that area it is possible that someone could see police officers in the area of the fire station and yet the officer not be looking at the person who sees him. Many times you see someone who is looking away, because you see someone else doesn't mean that that person

is seeing you isn't that true?

RAY: Ah, it's possible, I would agree that it's, yes -

LEHNER: So it's a possibility that the person who dropped it whoever it is, dropped it because he saw some police officers who didn't see him at that very moment, isn't that true?

RAY: Yes. In otherwards he saw them, but he dropped it, got in the car and drove off and all the time they never saw him?

LEHNER: Yeah. Isn't that, you don't think that's a possibility?

RAY: No.

LEHNER: Well if you, if you committed a crime, let's hypothe-, hypothesize that you committed a crime and you had the murder weapon on you, I'm saying murder, it would be to your interest not to be found with that murder weapon, isn't that true if you got stopped? You could deny the murder and rely, rely upon eyewitness testimony and say, well what do you have on me, right?

RAY: Yes.

LEHNER: Now, it would be to your advantage also to wipe off any finger prints that you might have on that weapon, isn't that true, so that if it's found you wouldn't, your finger print wouldn't be found on it. If you had time to do that, isn't that true?

RAY: Well if it would be to my advantage I would wipe them off.

LEHNER: You would, if you had time?

RAY: It wouldn't be no question, I, I'd of had time before, I would, I would of had time before I did it.

LEHNER: Well you have to think-

RAY: Huh.

LEHNER: -you have to think there's one, there's one thing you want to do is to get out of there as quick as possible too, right?

RAY: If I were going to use a weapon to commit a crime with it there wouldn't been no prints on it before I committed the crime.

LEHNER: Well, could I ask you --

KERSHAW: Or after either.

RAY: Huh. Just like -

KERSHAW: Because you would of wore the band-aids.

RAY: It was like the Mustang,, the Mustarg there was no three print on the Mustang or anything. I had, I had everything wiped off when the heat was on me.

LEHNER: Think of this, how did in your opinion, how did Raoul arrange if there was going to be a police alarm, look out for a man in a white Mustang?

RAY: How did he arrange that?

LEHNER: Yeah. How did he throw the heat off himself and put it on you by arranging that there be an alarm, a man in a white Mustang?

RAY: Well I, I, the only thing I know about that was the, the, somebody cut in on a, citizen band radio cut in on a police call and, but I don't know if, -

LEHNER: That was way later. Way later.

How did he arrange at 6:08 to have on the police, the police radio, man in a white Mustang involved in the shooting of Martin Luther King?

RAY: Well I don't think he arranged for that did he?

LEHNER: How did it happen?

RAY: I couldn't say. I've read books -

LEHNER: You've had 9 years to think about this, how did it happen --

RAY: I've forgot about this five years ago, I'm just telling you recollections.

LEHNER: Well -- Well see if you can think about it.

RAY: All right.

LEHNER: You've been -- You might have an interest in this question. You might have, if you've had nine years to think about it you might have 90 more, God willing, for your, for your longevity.

RAY: Yeah.

LEHNER: Ah, how did he arrange, or how did it get arranged that at 6:08 on the police radio they are looking for a man in a white Mustang involved in the King case? Certainly it couldn't be your white Mustang because your white Mustang was in the, in the, in the gas station at the time. Your white Mustang didn't even get within a block of the rooming house, right?

RAY: It's my understanding that every car on that block was white, parked there around 5:00 they were all white for some reason, there's 7 or 8 cars.

LEHNER: You had seen that during that day, right?

RAY: Huh.

LEHNER: You had seen those cars there? You had seen the white cars there?

RAY: Yes.

LEHNER: All right, so you knew about that?

RAY: Well that stuck in my mind all these white cars parked out there.

LEHNER: Right, go ahead.

RAY: I think the Cadillac, was it white too, Jower's, I don't know. But, I think, there was reports of white Mustang had left the area one right after the crime and one about 15 minutes after. And I suppose, I assume that's why the, the, they put the all points bulletin out for a white Mustang. Because they seen one left right after the -

LEHNER: What, which white Mustang went 15 minutes afterwards? Where did you get that?

RAY: Well I got it out of the books, that's where I got all the information.

LEHNER: Well, 15 minutes after that, the police were on the scene long time before that, so -

RAY: That one didn't count. The second one didn't count. The first one I think they seen one, however they got it, I don't know how they got it. I, I--

LEHNER: How did Raoul arrange this, if, trying to take the heat off himself and putting it on you? How did he arrange that, that the police would have an alarm for a white Mustang at 6:08?

RAY: I don't -- I don't know if he did arrange it.

LEHNER: How did it happen?

RAY: The only thing I, I don't know how it happened. I think --

LEHNER: How do you assume it happened?

KERSHAW: Raoul or one of his other confederates they drive away in a white Mustang rapidly at 6:00, so that the police see this, so this is the information from --

RAY: Well if the police seen him drive away then they the person get in the Mustang wouldn't they?

LEHNER: And wouldn't they chase that Mustang?

RAY: Huh?

LEHNER: Wouldn't they chase it?

RAY: Yes, if they saw it drive away. I would assume they would. Unless, unless they thought the shot came from somewhere else.

LEHNER: And wouldn't he then run a risk of being caught?

RAY: Well I suppose so. I'd --

LEHNER: And so how does he, how does he arrange as part of the plan to, to put the heat off himself and on to you, how does he arrange for a white Mustang to be sought in this case, since he was, he was, he was also planning to have your car available but he didn't.

MR. KERSHAW: Mr. Hanes' theory is that there were two white Mustangs there.

LEHNER: And what, he took off in the other white Mustang?

KERSHAW: Yeah.

LEHNER: Well if he took off in the other white Mustang that means that he didn't do, he didn't do that so as to draw heat away from himself, he was drawing heat towards himself if the police are looking for a white Mustang and he's in a white Mustang.

KERSHAW: But when you drive away from the immediate scene, every car, every, every job I've pulled, you have another car waiting within a half block to pick you up. And they leave in a white Mustang but you always have someone, something else. That's what I always read in the newspapers.

RAY: Well that doesn't always^{work}/though, because I got 20 years for doing the same thing like that.

KERSHAW: Well I didn't say it always worked, but - right?

LEHNER: What, what if you had gone to the movie theatre, did you, did he tell you to go to a movie theatre?

RAY: Suggested, yes.

LEHNER: What if you had gone to a movie theatre as he suggested, and you were in that movie theatre at the time of the shooting, you'd of had an alibi wouldn't you? You'd have everybody sitting around you, you'd have the ticket taker, you'd have the stub, how was that going to draw the heat on you?

RAY: I done said that I don't think anyone had malicious intent toward me.

LEHNER: So why did he drop that gun with your finger prints on it in front of Canipe's?

RAY: Well that wouldn't necessarily been malicious, that

would of just been shifting the heat, they call it.

LEHNER: Because, because the car was gone?

RAY: Yes.

LEHNER: Well if the car was gone how does he make the getaway?

RAY: Well if --

LEHNER: Does he make the getaway on foot?

RAY: Well if there's another car there-

LEHNER: Then why didn't he get into the other car?

The reason he dropped the bundle was not because the car was gone then.

RAY: Well that --- I'm talking about my car, I'm not talking about another car.

LEHNER: What is, what's the purpose in your car being gone if he has another car, he could take that, that rifle into the other car and get away.

RAY: Well I mean, I don't know, I, either thing it really don't make no big deal to me. I think you could have two cars there or you could have one car. One might be a back up or one --

LEHNER: So why is he dropping the bundle if his, if his, other car is there? Is he dropping it to draw heat on you?

RAY: Maybe he is, I don't know.

LEHNER: Well if he is and they find that rifle and it has your fingerprint on it and you are in a movie theatre or if you are in Jim's Grill with 10 other people and the police come and say, okay, everybody stay here and they ask the people have, has anybody in the place, anybody entered or left in the last 10 minutes and everybody says no, you've got a perfect

alibi in Jim's Grill. It doesn't matter what's on that, that, the fingerprints in that, on that gun. The heats not drawn on you, this isn't too good of a plan of his, is it, by - by just letting you go anywhere you want to go and now drawing the heat on you by, by dropping a gun with your fingerprints. It just doesn't make, seem to make any sense.

RAY: Well, I -- I more or less -- I would probably went to jail if they, if I had of been in the movies and they found the rifle and my prints on it, and me e caped and all that, but -

LEHNER: You would of - You would of had a great alibi, right?

RAY: To the actual murder yes.

LEHNER: You would of had to go back to Missouri State because you're, you're an escapee.

RAY: Well I would of probably, I would of probably got 50 years for being, aiding and abetting in the killing, and plus 20 in Missouri. So it really wouldn't make much difference whether I got 99 or 50 or what.

LEHNER: Well how did he know that if you were picked up that you weren't going to say, hey, I was in the movie theatre, and you'd have alibi witnesses. And they guy that did it is a guy by the name of Raoul and I'll describe him to you. And I'll tell the telephone number where, where you could reach him in New Orleans. I'll tell you, I'll give you a description, I'll tell you about all his friends, how, what's -- what's to his advantage to have you caught, if you are caught you're a potential witness to, that's going to put the finger

on him, why does he want you caught?

RAY: Well, I, I don't -- I couldn't answer -- These are all hypothetical-

LEHNER: Ah, yeah, I'll ask you another question. How does he arrange to have none of his fingerprints on the gun and your's on the gun when you, you handled the gun before him, you handled the gun at Aeromarine, that's the last time you handled it, he handled it in Birmingham afterwards and then he handled it thereafter, anyway, anyway he did, how does he arrange to have his prints off the gun and your's on the gun when he, when he handled it after you do?

RAY: I think that's one of simplest things. It's possible to keep your prints off of a gun, you can put wax on your fingers, you can put band-aids on there, that's --

LEHNER: Well he didn't have any band-aids that you saw.

RAY: Well I didn't inspect his hands, I never checked on anybody's fingers.

LEHNER: Well, you're, you're pretty knowledgable in that because you've, you've worn band-aids you say in the '50's. How does he, how does he know that your prints are going to be on that gun?

RAY: I don't think anyone knows my prints was on it, I don't think my, I think one of my prints was - they were, they were in a very unusual place. They were -- In other words to be handling the gun if you are going to shoot someone the, the prints were one here and one here, and I think they were three parts of a print where, if I would of been griping the gun it would of been clear prints on the barrel and the stock, probably

three or four in each place.

LEHNER: So how does it put any heat on you? How does he know that he's putting any heat on you? How does he know that you handled the gun at Aeromarine? He handled the gun later in Birmingham, and he handled the gun afterwards to shoot King.

RAY: I think the best answer to this question, these are all just hypothesis-, I think the best answer to this question is, there was no question. If everything is open and shut like you might think it is, it would of been a jury trial, they'd convicted me and give me 99 years or the death sentence and that would of been it. But, since they didn't do that and they suppressed everything, I think that indicates that there's more to it than just a simple answer about possibly someone -

LEHNER: Well we're seeking from you some information as - as - as to these new materials that you are alluding to, different hypotheses. But I'm asking, you have, you've had more chance to think about this case than anyone else, how does he, how does he handle this that he gets, ah, your prints on the gun and not his? He has an alarm, 6:08, for a white Mustang, he's trying to implicate you by dropping the weapon there, and yet, and yet you write us one of your hypotheses that the car is gone, that's why it's dropped, and he doesn't even arrange for you to be at a place where you wouldn't have an alibi?

RAY: Well there's several arguments you can make on it. I mean, I want - I think you are mistaken in the first place in thinking that I just spent 8 or 9 years thinking about

this case. I mean, if, if you think that, well that, I would be putting a lot of reliance on the legal system, which I - my - my reliance on the legal system is about nill. So the only time I think about this case and all these different hypotheses is when I got to testify in court or come before the Committee. This don't interest me the least except, you know, when it's necessary for me to testify. So I don't -- I don't sit around and think about all these various hypothesis and why someone did this. Ah, usually my answer to that is the legal system, if they were really interested in getting the case solved and getting it off the books they would of did it 9 years ago, they wouldn't wait until nine years later and then, you know, interested in the various hypotheses what -- You know, what might of taken place, but I think what, all this stuff -- There's witnesses down there in Memphis, I think there's 8 or 9 of them, seen people sitting in the car, they seen people get out of the cars and all that, and they would probably be a lot better witness on this than me. The only thing I can testify to is what I did. I can't testify to what, you know, what is in someone else's head.

LEHNER: When you were in the New Rebel did, what time did you check out of there?

RAY: In the morning? Ah, I would say about 11, 11:00 or 11:30.

LEHNER: What did you do in the New Rebel? Was there a TV there to watch or what?

RAY: Ah, I seldom watch TV, I don't know if there was a TV in there or not.

LEHNER: And-- Okay, why don't we -- We were continuing on the list of -- You, you were reading a piece of paper, why don't we continue with that?

RAY: Ah, well let me -- I got these - this - this station that Huie talked about conspiracy in Los Angeles, KNBC TV, and says there's four people again. Now, I'm going to - I know two of these people, I'll just give the names. I know, I think they are bogus because he never got them off me, and they are probably someone he's prejudice against. I think one of them's name is, ah, Grady Parton, wasn't it? And the other one's name was, what was the other guy's name, Lelander Perez?

KERSHAW: Lelander Perez.

RAY: Lelander Perez.

KERSHAW: Yeah.

RAY: Now he, these are the two, these are the two of the four people he is talking about. Now Huie said he couldn't put the heat on them because they'd sue him for libel and he couldn't testify in public. But like I say that's just, that's just his, ah .

HAUSMAN: Did he tell you where he got those names from?

RAY: He got four names, he said he couldn't, he couldn't testify to them because -- Well, I think he testified here in a deposition, he said he couldn't refer to them because the Attorney General didn't have enough evidence on them, but he never did discuss them with me and I never discussed them with lawyers.

I heard Thompson was connected with Perez-, Parton and that's it.

EVANS: Yeah. James, you referred earlier to a guy by the name of, from New Orleans -

HAUSMAN: Thompson?

RAY: Baton Rouge.

EVANS: Ah, Courtney?

RAY: Yes.

EVANS: What kind of conversation did you have with your brother relative to Courtney?

RAY: Ah, well Hanes had mentioned him or I had seen him on TV, and it was relative to communism, and I wanted him to check some of these phone numbers out in New Orleans or -

EVANS: You want Courtney to check this out for you?

RAY: Yes. I was going to have my brother see him first and let Courtney check them out.

EVANS: Had you know Courtney before?

RAY: I never heard of him before except I use to see him on TV or Arthur Hanes mentioned him, it may have been Hanes. I think Hanes mentioned him maybe in reference to some communism investigation.

EVANS: And why did you think Courtney could help you?

RAY: Well if he was -- At that time, I don't think that now, but at the time Hanes was mention-, well first I think everybody believes that I was associated with somebody. I think Huie says they are criminals and I cut off and did it myself. But anyway with reference to who I was associated with no matter who they was, Hanes' theory was that they were communist or something like that, so I was investigating that end of it.

EVANS: All right. But why did you choose Courtney?

RAY: Well he was suppose to be an expert in it or something.

MRS. KERSHAW: He was very rightist.

EVANS: He was a very right wing guy?

MRS. KERSHAW: Yeah.

EVANS: Was the fact that you were in New Orleans, and that he was from New Orleans, did you think in those terms as to whether he would be able to assist you?

RAY: Yes. And the fact that I had made several phone calls there.

EVANS: You made several phone calls-

RAY: Yes.

EVANS: -to who? To Courtney?

RAY: No, to the other party while I, while I was on the street.

EVANS: Oh, to New Orleans.

RAY: Yes.

EVANS: Okay.

HAUSMAN: This morning you said that you gave Jerry a phone number from Baton Rouge, and before you gave him the number you knew the phone number belonged to a guy named Thompson.

RAY: Yes.

HAUSMAN: How did you know it belonged to a guy named Thompson?

RAY: Well, I got, I got the phone number in 1967 while I was on the street, and I thought it was a back up number. Well one time I went to Baton Rouge--

HAUSMAN: You got -- You got the number from who in '67?

RAY: This Raoul. Well one time I went, I was on the way

to Mexico and I had these two numbers, one was from New Orleans and one was in Baton Rouge. So I thought I'd call the Baton Rouge number up. Well it was, it was busy or something so I went ahead and called the New Orleans number up. But, then I went down the, I took, I took the Baton Rouge number, I was in a motel and I went down the last, I went down the last two numbers of the phone, the phone numbers until I got all the way through, until I run, I run into the Thompson name. Then I remember -

HAUSMAN: You mean the last two digits of the seven digit number?

RAY: Yes. Until the last two digits matched up, I just kept looking at that.

HAUSMAN: Down an entire phone book?

RAY: Well Baton Rouge is not really a big town, and it took a couple of hours to do it. But the phone book it seems to be a bigger phone book than the town should be, and that's the way I found the Thompson number.

HAUSMAN: Where were you when you were doing this?

RAY: I was in a motel.

HAUSMAN: In Baton Rouge?

RAY: Ah, on the out, outskirts of it, yes.

I'm not a hundred percent positive of it but I know it was a tall building there and I understand later it was the capitol building.

HAUSMAN: And when were you there, when you were in this motel outside of Baton Rouge?

RAY: I was on the way to Mexico.

LEHNER: James, I think, did I understand this, you had the phone number at that time?

RAY: Yes.

LEHNER: And you wanted to know who, who it checked out to so you just took the last two numbers, which were what? What were the last two numbers?

RAY: Ah, I think they were 84.

HAUSMAN: Do you have the whole number there?

RAY: Yes.

LEHNER: What's that whole number?

RAY: I got it wrote down backwards, 924-4384.

HAUSMAN: 924-4384, and that's the Thompson number in Baton Rouge?

RAY: Yes.

LEHNER: And is that the correct way the number is, or what you just gave us?

RAY: You got the correct way. I'm reading off here backwards.

LEHNER: So you had 84 and you just went down the, the book and when you saw 84 you, you'd go up to the side and then you'd see it wasn't the correct number, and you'd just keep going--

RAY: Yes.

LEHNER: -until you found that number, and you found it all the way in the T's, Thompson?

RAY: Yes.

LEHNER: And what did you do once you did that?

RAY: I took the name down.

LEHNER: And then what did you do?

RAY: I didn't do anything. I didn't -- I investigated it later but it got three or four different-- I, I come to the conclusion later on it that it was planted because I never did use it.

LEHNER: Why didn't you call it at that time?

RAY: It was busy or something so I went ahead and called the New Orleans number.

LEHNER: Now, you gave that number after your arrest to who?

RAY: Ah, Percy Foreman was the only one I ever gave it to.

LEHNER: You gave him the name or the number?

RAY: I gave him the number after my brother got it.

LEHNER: You gave the name to your brother, Thompson?

RAY: Yes.

LEHNER: Because you remembered that-

RAY: Yes.

LEHNER: From having found it in New Orleans?

RAY: Yes.

LEHNER: In Baton Rouge that was?

RAY: Yes.

LEHNER: And then from that he got, he got the telephone number for you and you gave that telephone number then to Foreman?

RAY: That's correct.

LEHNER: And was anything done ever to check that number?

RAY: Ah, he came, Foreman came back a few days later shortly after and he said if there's anything, he said something about he had interstate gambling connections and if there was any phone numbers to get he'd get them, and he'd mentioned some guy named Meyer Lansky or something. He wasn't going to get them off Lansky but he said he had these interstate connections where he could get a phone number. And then later on he did come up with two phone numbers, but --

LEHNER: What numbers were--

RAY: Huh.

LEHNER: What numbers were they?

RAY: Well he's got them. He said one was a tavern and one was a place in New Orleans. It's in his deposition, but he don't give the numbers, but he says he got them but we never did get them.

LEHNER: And how did he get them?

RAY: Well, he claims that -- he don't -- he's vague about it. He says I confirmed them, that I, he showed them to me and then I confirmed that I, I was using them while I was on the street. But, it's in the deposition but for some reason the attorney, Lesar, he don't, you know, he don't ask him who the numbers belong to, so Foreman says that he checked the number out, not the tavern but the other one and it had been disconnected and Lesar asked him, well did you see who was a witness and he said, yes, and that was --

HAUSMAN: Well then you -- When you left Baton Ruge and went to Mexico and you met Raoul, ah, in Neuvo Laredo?

RAY: Yes.

HAUSMAN: Did you ask Raoul if Thompson was one of his associates or friends?

RAY: Nope, no I never mentioned it.

HAUSMAN: You never mentioned to Raoul that you knew who one of the numbers was?

RAY: No, I never mentioned it.

LEHNER: Why?

RAY: Well, well that wasn't my concern.

LEHNER: Well you might of said, well gee I might gotten the number wrong. Maybe I was trying to get you but it was Thompson?

RAY: Yeah, I, I don't say things like that, you know, he don't pull things like that.

LEHNER: Why not?

RAY: Huh?

LEHNER: Why not? He gave you the correct number in New Orleans didn't he?

RAY: Yeah, but I --

LEHNER: It wasn't that he was trying to trick you, you had a New Orleans number that you used twice, two different New Orleans numbers that you have used, both of which were successfu

RAY: Yes. But I wouldn't ask any type, any that type of questions that's just, I mean I, you look at things different from me and I just, ah, I wouldn't -- the only two questions

that I ever asked him, I asked him something about what a Spanish word was, and he said, he didn't answer, he was evasive and I asked him something else. But I wouldn't ask anyone especially a criminal associate where he was a, whether he was, some of his personal business.

HAUSMAN: Well it wasn't, it wasn't just his personal business It was a number that he had given to you-

RAY: Yes.

HAUSMAN: -to use just incase you needed it.

RAY: Yes.

HAUSMAN: Didn't you want to, you know, to check out that this number was good and this guy Thompson could be trusted if you had to call him?

RAY: No, I -- I, I didn't think anyone, I didn't think anyone would expect me to do something like that, go through a phone book and try to find a name.

LEHNER: Well you didn't have to tell him that, you could of just said, hey this number in Baton Rouge do I have it right, so and so and read it off to him?

RAY: Yeah.

LEHNER: Why didn't you do that?

RAY: Well I just never, I just-- I wasn't interested in things like that because that's more of a detective type of work. I was just interested in -

KERSHAW: Well you-

RAY: You know in getting the money or get out.

EVANS: James, when you, when you were, Hanes was preparing

your defense, right?

RAY: Yes.

EVANS: And Raoul had shifted the heat to you, right?

RAY: Yes.

EVANS: And he was sort of shifting weight, why didn't you tell Hanes about the Thompson phone number and shift the weight back to Raoul?

RAY: At that time I didn't think, I think it would of probably caused more harm than good. Because if I would told Hanes it would of went right straight to Huie and it was always my, it was always, it's always been my position and it still is that I would of been much better off going to trial alone than having someone else saying, you know, like the Jablowski trial, everybody else pointing the finger at everyone else because --

EVANS: Well, Thompson didn't know you.

LEHNER: Didn't you, Didn't you pick Hanes as your lawyer though, because you trusted him?

RAY: I didn't know anything about Hanes except for, I seen his name in the newspaper or I heard him on TV or something.

LEHNER: Well, you didn't have any falling out with him until September, right, at the earliest, September you began to question him.

RAY: Yeah, we was having trouble in September, yes.

LEHNER: But certainly July, August no problems, right?

RAY: Well there's trouble, there was always a certain amount of trouble with giving information to Huie. I knew he was giving the information to Huie within the first two weeks. Because you know witness list started coming in with

more people on it every time I talked to Hanes.

LEHNER: So you could of cut that out, cut out, cut Huie out, right?

RAY: Well there -- There was two million dollars involved in it for Hanes so you know he's not going to cut Huie out. That's --

EVANS: Getting back to Thompson. Thompson, did you ever meet Thompson?

RAY: No.

EVANS: Well then Thompson couldn't of put the heat on you, right?

RAY: I don't think, I think Thompson had anything to do with it.

EVANS: Well Thompson knew of Raoul?

RAY: I don't think he did know.

EVANS: Well then you got, you got the number for Thompson from Raoul?

RAY: Well I got the number from Raoul, but I never did talk to Thompson or anyone-

EVANS: But that was a back up number, right?

RAY: Yes, that's correct.

EVANS: All right. So, then you can assume then that Raoul knew Thompson or Thompson knew Raoul?

RAY: Unless he was trying to put the heat on Thompson.

EVANS: Yeah, all right. Well either way you look at that it would of taken the heat off of you because you would of thereby proved the existence of Raoul, right?

RAY: Yes. See--

EVANS: Which would of been good for your case.

RAY: I see what you mean. But I've always been opposed to informing and I've also been opposed to, I just don't like to get, go to trial with four or five other people because I know how, I know how it ends up. But I never thought there was any easy way out of a crime. I don't think you can say well, this guy did it, let me go. Because it never works that way.

LEHNER: Weren't you planning to testify at the trial?

RAY: Yes.

LEHNER: And you were going to testify as to what you are telling us about-

RAY: Yes.

LEHNER: -the whole Raoul situation.

RAY: Yes.

LEHNER: Werë you going to testify about the phone numbers, you would of asked about, they would of asked about that right?

RAY: Yes.

LEHNER: And the first time Hanes was going to hear about that was when you were on the stand, right?

RAY: Well we'd of discussed it before I went to the stand, yes.

HAUSMAN: You did, or you would have?

RAY: We would of yes.

LEHNER: Yeah, after the people's case was in and just before you took the stand you would of talked to him about it?

RAY: Yes. Yes.

LEHNER: Which gives him no time to investigate it, right?

RAY: Well we wasn't going to give the prosecution any time to investigate it either. I'm worrying about the prosecution.

I'm not, in otherwords I'm just going to testify to what I know and that's it. The jury comes and acquits me or --

LEHNER: Well wouldn't it be good if Hanes were able to corroborate some of the things you said?

RAY: It would of been ideal if I could of give the infomation to the attorney and he could of investigated everything. We come in and we would of knew everything and the prosecution wouldn't knew nothing. But under the situation we were working under that was impossible because there was no double that Huie -

LEHNER: You had no faith that you could tell anything to Hanes, that, that he would of not tell to Huie, is that what you are saying?

RAY: No I didn't have no confidence in him at that time.

LEHNER: So, so why did you want to go to trial with him?

RAY: Well I didn't have no choice in the matter.

LEHNER: Why?

RAY: Well what choice did I have? I, I finally did dismiss him, but that --

LEHNER: Well that was-- That was for a different reason. You would, you would not of dismissed him would you unless Jerry had told you about how good Foreman was?

RAY: No, I intended to go to trial with him, that's right, that's correct, yes.

LEHNER: You were going to continue to go to trial with him even though you had picked him as your own lawyer, and you had no faith in telling him anything about your own defense?

RAY: Ah, not certain things like that. See, Huie was, Huie's made the statement several times that he wanted someone arrested before I went to trial. And Huie didn't care anything about me at all. And anyone would of been arrested I don't really think that would of been in my interest / ah, you know, would of been arrested and perhaps they coul shift the heat on me. Because I'm not, it was never my intentions to do any heat shifting because I'm more or less interested in living in the penitentiary without any type of --

LEHNER: You certainly would of shifted some heat if you testified, and you testified about Thompson, and you testified about the telephone numbers, certainly that would of shifted heat wouldn't it?

RAY: I think that would of been entirely different. I, that would of been testifying in my behalf rather than testifying in the prosecution's, and in addition it would of been too late, I don't see what the government could of been done unless I got a hung jury and then they would possibly would know something. But I was just looking for the best way to do it and that was it.

LEHNER: Well --

HAUSMAN: But it certainly would of been in your interest, your interest being not going to the electric chair and not serving 99 years. It would of been in your interest to point out that you didn't do it and that somebody else did?

RAY: Yeah, I, I agree with you there. It would been definitely my interest to --

HAUSMAN: And you--

LEHNER: And this was your- Go ahead.

HAUSMAN: And this was your golden opportunity, you had the Raoul associate who you knew about, you had a way of confirming that he really existed by having, ah, Hanes or Renfro Hayes, or any of Hanes' investigators to check out the Thompson phone number, check out the Baton Rouge end of your story and that could of given some credence to your story and then may, you may never of had to do anything else to get yourself acquitted.

RAY: I -- I think on, on reflection yes, I could of, I could of -- I should of given Hanes a lot more information and cooperated with him, but that's just on, that's just hindsight. I think if, of course, I shouldn't, I shouldn't of even fired him. I see that now. But it's too late to be --

LEHNER: You had nobody, you had nobody checking out the Thompson thing while you had, before your plea of guilty you -

RAY: Not till Foreman, no.

LEHNER: You didn't have Hanes or Foreman, no one up, up until the guilty plea no one checked out the Thompson thing, is that right?

RAY: The first time the Thompson thing was ever mentioned was sometime in late February of 1969. That was -- This was after Foreman started in on the guilty plea stuff, then I mentioned the Thompson.

LEHNER: Okay. Now when did you have anybody check out

the gasoline station story?

RAY: Well I told -- I told Hanes about, Foreman about that, I don't think he checked that out.

LEHNER: You told Foreman that when?

RAY: That would of been sometime about February the 4th.

LEHNER: That's the first time you told anybody about the gasoline station story, about February 4th?

RAY: Yes.

LEHNER: So you were planning to go to trial with Hanes without telling him about the gasoline station story and testifying to it for the first time on trial?

RAY: Yes.

LEHNER: Well wouldn't that sort of conclude Hanes from going to the gasoline station or sending an investigator there and finding the gasoline attendant who would corroborate your story?

RAY: No, I think Hanes would of found out everything in probably 15 minutes if I'd told him, he'd of probably checked out all the information. I don't think there's any problem there.

LEHNER: Wouldn't that of been a little chance you'd take that the gasoline station guy who would corroborate it is on vacation or that the customers that usually came in at 6:00 could not be found in 15 minutes, it would take sometime?

RAY: See the thing is I--

LEHNER: Because you know the defense testifies last.

As soon as you finish testifying he can't come up with corrob--, if he doesn't come up with a corroborative witness right after you testify both sides sum up that's the end of the case.

RAY: Well, yes, we wouldn't have no problem with that I don't think. The thing is there's different pulls on here. I mean I've-, I had-, I wanted to do one thing and I wanted to do another. It's difficult to get into these cases when you got, you know a book writer or someone interfering with attorneys. It's just, of course you make mistakes. I know, I know I've made mistakes on the defense on how to operate with Hanes and Foreman.

LEHNER: But, you-- You're dealing with your life's at stake, Jimmy. Your life's at stake, you've got an attorney of your own choice, Arthur Hanes, Sr., an attorney at that time you knew was a successful defense attorney and that you knew he was no left winger, he had defended the Viola Liuzzo case, you knew that he had defended Klansmen, you knew all that at that time, right? Is that true?

RAY: See -- I -- See, you're, you're looking at this political angle, or right wing and left wing. But these people are not interested in that they are interested in money. And --

LEHNER: With your life at stake you are going to testify about a gasoline station story, about a fellow by the name of Thompson, and the first time your attorney is going to find out about it is 15 minutes before you testify, you were going to be the last witness on the stand, if he doesn't corroborate

either with the Thompson or with any witness at the gasoline station, the gasoline station attendant's on vacation, out of luck Jimmy Ray, if he doesn't have enough time to find out who were the regular customers who might of been about to identify you as seeing you there, out of luck Jimmy Ray, no, no corroboration. You are doing all this with a death penalty over your head and an attorney of your own choosing, does that make any sense whatsoever?

RAY: Well it makes sense when you think about, when think about everything you tell the attorney, the prosecution ends up with it. And it ends up in the newspapers and magazines before the trial. It's make --

LEHNER: If your life is at stake you then just fire that attorney and get another attorney.

RAY: Yeah.

LEHNER: You weren't going to do that if it weren't for, for Foreman coming, coming to the scene.

RAY: It was my intention to take the stand and possibly three or four days before I took the stand and run what information I had down to Hanes. But --

LEHNER: Well you said 15 minutes before.

RAY: Well it --

LEHNER: Well let's say three or four -- Let's say three or four days.

RAY: It might have been the last five minutes. Let's say anything. But that's, that's the ways I looked at it. I mean you can't --

LEHNER: With, - with - With the death penalty over your head that's the way you're playing it?

RAY: I'm not been worried about, I was never worried about the death penalty.

LEHNER: Well, why did you plead guilty if you were not worried about the death penalty?

RAY: That had no in- That had no, not the least thing to do with the enter-- the guilty plea.

LEHNER: Well weren't you concerned that you were going to, that you told us before that Foreman told you you had 99 percent chance of getting the death penalty?

RAY: I never did believe him. I've wrote letters and everything else.

LEHNER: So why did you plead guilty?

RAY: Because I figured he was going to throw the case, plus all the threats, and then one thing or the other.

LEHNER: So, if he threw the, if he threw the case you were afraid of the death penalty.

RAY: I would have got 50 years. No I wouldn't of got the death penalty.

LEHNER: You would of got 50 years instead of 99 years.

RAY: Well, at least with the 99 I've got a chance now to get a trial. But if I'd of got a 50, well there would, there would of been no -- You know, the legal system they say, well you had your day in court you had your jury trial. But the way it is now see I've never had no day in court, so --

LEHNER: You, the reason you pleaded guilty is because you

thought Foreman was going to throw the case?

RAY: That was a make--, he give me every impression that he was going to throw the case.

LEHNER: And you hoped that you were going to get some post-conviction relief, right?

RAY: I thought I could get exculpatory evidence, get the case reopened.

LEHNER: On post, post-conviction?

RAY: Yes.

LEHNER: Well why didn't you use Stanton, Sr., he was the Chief Public Defender? Why didn't you get rid of Foreman and use him?

RAY: Well he, he done represented the prosecution's chief witness. That's all I needed is a, is a lawyer that represents me and the State's eyewitness.

LEHNER: Well you, you were being coerced by Foreman, right?

RAY: That's, that's correct.

LEHNER: Why didn't you tell Judge Battle? Why didn't you tell Judge Battle that, Judge I know you told me before that this is my last lawyer but this is a lawyer that's coercing me to plead guilty, give me a lawyer that's going to fight for me?

RAY: It's really --

LEHNER: Why didn't you tell that to him?

RAY: I's really the judge's responsibility to find those things out. He, he --

LEHNER: You mean you were so quiet and shy that you

weren't going to tell him unless he asked you.

RAY: Well I assumed he was on the judge's side because he, he went -- He, I think he lied to the judge all the way through. And as far as the death penalty I wrote the Judge one day after the guilty plea and asked him to reverse the case. So, if I was all that scared of the death penalty I wouldn't of, you know, wrote him back the next day and wanted him to give me a trial.

LEHNER: Well as I recall you wrote him three days later, and three days later you just said you didn't want Percy Foreman, and you called him some name,---

RAY: And I didn't --

LEHNER: -to represent you.

RAY: Want Stanton, that's, right, I didn't want Stanton.

LEHNER: But why didn't you tell to the Judge, look, this lawyer Foreman is coercing me, I want a new lawyer, and then at least you'd have, you'd have something on the record for an appeal. But this way you took the, you took the plea, nothing on the record for appeal. You have no, no, no position on appeal because you didn't raise it with the judge. And now for the first time after, after the guilty plea you are going to try to reverse it on appeal. Why didn't you tell it to Judge Battle, hey this guy is coercing me give me a new lawyer?

RAY: The judge called me down there in January the 17th or 18th and told me there wasn't going to be any more lawyer changes and he said I was going to trial with the public defender if I didn't go to trial with Foreman.

LEHNER: That's before you got coerced. Didn't you

think that you should tell that to the judge, this guy is coercing me, let Foreman then say what he's got to say, why are you so quiet? Are you the same guy? And you're so quiet unless they talk about no conspiracy you're not going to say anything, and then you say well I disagree, and you would have told the whole thing, withdrawn the guilty plea, if the judge only asked you one more question, is this you? Are you so quiet? Aren't you the same guy that defended yourself in a previous trial?

RAY: I realy don't think the judge wanted to hear anything. He gave every impression that he didn't want to hear anything. It, really, where would I got the money to hire another attorney at?

LEHNER: Didn't you defend yourself in a previous robbery case?

RAY: No I never defended myself in a robbery case.

LEHNER: What kind of case was it that you defended yourself?

RAY: Well these civil case you are talking about.

LEHNER: No, no. I'm talking about way back when you, you defended yourself in the '50's, wasn't that true?

RAY: Ah, well you, you been reading too many books. I mean -

LEHNER: You - You mean you never, you never defended yourself?

RAY: No, I never defended myself. I never, once they had, let's see what all they had me in that particular book you read. Defending myself, -

LEHNER: Well didn't, didn't you --

RAY: Watching TV on Martin Luther King, and -

KERSHAW: That was McMillian.

LEHNER: isn't there a case that the defense lawyer was, and you got into a hassel and it ended up that, that he sat by, it wasn't that he left the courtroom but he sat by while you conducted the defense?

RAY: No. That's--

LEHNER: What -- Did something like that happen?

RAY: I - I can't, I think I had a hassel one time about whether I should testify and he let me testify, but --

LEHNER: Against--

RAY: -it was -- It was no --

LEHNER: Against his wishes and he put on the record that he was against it, right?

RAY: He suggested that I didn't, yeah. But there was no, I wasn't defending myself I was just --

LEHNER: So you're not a shy newcomer the first time in court, that's, that's what I'm getting at without going into the particulars of that, you were a guy that has been in and out of courtrooms, in and out of jails, here you got a lawyer who is coercing you and you are now concerned because a couple of months before in January the Judge says this is your last lawyer, you could - you didn't have the spark to say hey, this guy is coercing me.

RAY: I got a book I'm going to give you, it, it explains how the legal system how they get guilty pleas, and it's on a wholesale basis. Now lawyers--

LEHNER: Why didn't you tell the judge-

RAY: Now a lawyer, it's the easiest thing in the world for a lawyer and a prosecuting attorney, and you know it as well as I do, and a judge to put you in a position where you have to plead guilty.

LEHNER: Even to protect the record, even if you thought Battle was against you, even to protect your record, why didn't you make an application to have Foreman dismissed because he was coercing you? What was the reason for your quietness?

RAY: From every indication I had during the, during the trial the judge was on Foreman's side. There was never any question, you know, of being the judge you know neutral and me on the other side and Foreman on the other side.

LEHNER: Well this is the same judge that you are relying to, to upset the guilty plea by, by writing to him after. If he's on Foreman's side he's still on Foreman's side, why didn't you make a record before the guilty plea?

RAY: Well, maybe I should have. I can see now where I should of bought, brought the contracts up with him at the guilty plea but I didn't do it and, and they usually wear you down on these things after a certain length of time. You, you does, it does get a quite a bit of pressure on you after a lenght of time.

LEHNER: Did he put so much pressure on you that you weren't able to say, look I don't want that part about Wallace in there and you got that stricken, didn't you?

RAY: That was a stipulation. That was just one part of the thing.

LEHNER: Well you were able to talk up and, and fight this to that extent. Why didn't you fight it to the extent of getting a new lawyer and fight the stipulations, that, that had you guilty, not, not a minor stipulation such as the Wallace stipulation.

RAY: Well you -- The Wallace is just one thing. The only reason that was made a big issue out of, is because William Bradford Huie wanted it in there and him and Wallace was conducting a sham battle. And, but I objected to various other stipulations about the Wallace thing. And some of them were taken out and some of them weren't.

HAUSMAN: Which other ones were taken out besides the Wallace thing?

RAY: Well the voir dire was what I thought was the final stipulations. I don't know what's in the voir dire. I think it's about 20 or 25 allegations in there against me.

LEHNER: Well, well I'll tell you where we are. We are just about 4:13 now and we are going to have to leave within a few minutes to get our plane, ah --

KERSHAW: Yeah, we are going to have to --

LEHNER: I do think there's a lot of things we do want to get into.

KERSHAW: Yeah I think so.

LEHNER: Why don't we stop now unless there's anything else you want to put on the record and let's see if we could arrange when it would be convenient for everybody to reconvene.

RAY: Let me get some more on the record while we are on the record.

LEHNER: Go ahead.

RAY: Ah, when you -

LEHNER: Oh, one second.

RAY: See when you came down -

LEHNER: One second, one second Ray, he's going to have to put a new pad in.

(There was a short break for the stenographer to add paper).

LEHNER: Go ahead James.

RAY: I think -- No, when you came down here today I thought you was just going to talk about Huie and Percy Foreman. The thing is, now I've told, I think I've testified a while ago that it's almost impossible for me to remember this stuff. Now what I want to do is get everything written down and read it off. And you can cross-examine me about anything. But on these recollections and especially hypothetical questions, well let's just say the recollections, I can't remember them for 10 years. But I've made notes and I've got letters from my brother and everything. And if I knew, really knew what you were going to talk about, if you was going to talk about everything then I could get it all down and I could read it off and then you could cross-examine me, but a lot of times when I can't get everything in the record by you, you know you just ask me certain questions because there's things that I think should be in there and of course you are running the hearing, but there's things I think should be in there that --

LEHNER: Let me just tell you this, Jim, on this point,

why don't the next session, the very beginning before we ask you any questions, you put on the record what you want to put on the record. Let me just before, before you have anything further I would like to hear you. But let me just ask you, there's one thing that, that I remember that we did want to ask you and which might help us in the investigation part of it, is, you had mentioned the Rosenson thing and we, we hadn't really picked that up. Could you tell us a little bit more about Rosenson, so this could part of our investigation? Ah, um, what happened to that card after you, you told us you found it in Mexico, I think it was?

RAY: Yes.

LEHNER: Could you tell us a little bit about what happened thereafter so it would help us in our investigation?

RAY: Well that's one reson why I don't like to go into that because I've investigated everything except certain aspects of tnat. the thing is, now, I think I threw the card away in Canada, but now, I tried to give you an example a while ago where I've got these alternatives and I don't know just what-

LEHNER: Why don't you give us the alternatives in the Rosenson thing, that might be helpful.

RAY: When I threw the card away?

LEHNER: Yes, yes.

RAY: Ah,-

LEHNER: You say it might of been in Canada, what, might be the other alternative?

RAY: Well I, well I threw -- I didn't only throw it away,

I threw other stuff away. But it was either when the, I got stopped for jaywalking ticket up there. I may have threw it away then, or I may have threw it away after I got the passport and didn't need the various other stuff any long. Or I may have threw it away when they come out looking for James Ray instead of you know Eric Galt. I'm inclined to think I threw it away when they, see, I never was certain they was going to be looking for me until the name come out in Canada. And I think as soon as my name hit the newspapers then I threw all the Galt identification away.

LEHNER: So you definitely -- You definitely didn't have the card when you were captured in London?

RAY: I didn't have any papers then connecting me with Galt or anything.

LEHNER: So how did Jerry Ray get the card?

RAY: The card? No, he --

LEHNER: The Rosenson card.

RAY: No he never did get the card.

LEHNER: When did he get it?

RAY: Ah, um, he -- Well actually he didn't, Richard Ryan got the information before he, before he got it I think. No he didn't, he didn't - Richard Rayan didn't get it either. Another attorney in Oklahoma City got it named Clyde Watts. Ah, see this stuff gets in, gets so involved it's hard to pick up a certain thing and, you know, go on threw with it. I got involved with Watts years ago when they were trying to send me to Springfield Mental Institution and I asked him about it

and he said it was a butcher shop or something. Then later on I asked Watts, the Rosen thing was the last thing we investigated. Well later on I asked Watts to, if he could find this Rosen, Rosen. I didn't, at that time I didn't know his name was "son". I just, just Rosen.

LEHNER: You just remember that from the, from the card?

RAY: Yeah, well it was two sides of the card. Ah, the Rosenson whatever his first two names were, Randolph Erwin or something, and the last name was just Rosen. But, I think later on how come I concluded it really was Rosenson I got a card from a New York Times' reporter named Cwredson, and he just signed his name C-W-R-E and he just put a line for the S-O-N. Well, anyway, I had the, I had the, I asked Watts to, had my brother see Watts and ask him if he could find anything about Rosenson in New Orleans because this card had things marked off on the inside of it. It looked like a business card and it looked like New Orleans.

LEHNER: When did you tell Jerry this for the first time?

RAY: Well he has some of this stuff, this information was on this paper, he had that way back in '69. He give that to some labor union guy in St. Louis.

LEHNER: I mean, how did you remember from when you threw away the card in '68 in Canada, before your capture, how did you remember all this to tell him in '69?

RAY: How did I remember all what?

LEHNER: What was on the card.

RAY: The Rosenson name?

Well I tried to remember some of it in Canada, but I didn't -- I didn't remember all of it correctly like the address on there, I had it, I had it switched around. Then when I, run -- Well anyway -

HAUSMAN: The address was what, which address?

RAY: It's a front, the front of the card is a business card. I thought it had the LEAA on it, but I found out that didn't come in existence in 1968, but I told Playboy that by the way, too. But anyway I then also found that there was an LEAA in '60-, 1967 but we will go into that later. But anyway I told Watts, I didn't, at the time I told Watts the Rosenson name, well I asked him to check in New Orleans or something. and he, he come, he said something about it was probably Rosenson, nad he give, he give Jerry the name and I give the name to Richard Ryan and he went to New Orleans and checked on it, and then he got a transcript, and he sent me the transcript and the name was right and everything but the address, it had, it had a number, I had a wrong number on the address but it was similar. Then I checked the- The transcript said Rosenson had, also had an address in Florida, so I had Jerry go down there on a plane and check on it and then the address had still another number, but they were all similar but it had another number on it.

LEHNER: Did Watts have anything to do with this Rosenson card?

RAY: The only thing Watts did he had some connection in New Orleans and he had someone to check these criminal records in the Criminal State Court.

LEHNER: Could you tell us about Watts, what's his full name and where we can locate him?

RAY: Well, ah, I think he's dead but his son knows I had some association with him. His son's alive. His name is Clyde Watts in Oklahoma City.

LEHNER: Okay, do you have anything else, address or phone number?

RAY: No, he has a big office out there but I don't know-

HAUSMAN: Would you give us a waiver for his-

RAY: No, not-

HAUSMAN: His papers?

RAY: No, not unless he would agree to it.

LEHNER: Okay can we ask Mr. Kersahw if you could communicate with Mr. Clyde Watts?

RAY: He's, he's dead anyways.

LEHNER: Clyde Watts, Jr., so that -

RAY: His name is Charles. His son's name is Charles.

LEHNER: Oh, Charles. So if he could check, if we could get a waiver on Clyde Watts then Charles Watts would be able to cooperate.

HAUSMAN: Unless these papers are executed in his will.

LEHNER: Okay, why don't -- I think we --

RAY: Most of his conversation with Jerry was private. Jerry use to call him at his home. And I don't think there would be a lot of records laying around in his office.

LEHNER: Well, whatever would be available if Mr. Kershaw could arrange it we would go down there and see him.

EVANS: What did you ever find out about Rosenson?
What did they every report back to you?

RAY: Ah, I seen a transcript that said he was involved
in narcotics and --

HAUSMAN: You say a transcript, do you mean a rapsheet?

RAY: Huh?

HAUSMAN: What type of transcript, court transcript or a
police rapsheet?

RAY: It was a, it was a, he had - He was convicted
of smuggling something into Mexico and I don't remember too
much more of that.

EVANS: Well, where do we place Rosenson, how do we
place, do we say that Rosenson is Raoul or do we say Rosenson
is connected with Raoul or which?

RAY: No, no not, I'd just say I found, I found that card
in a, dropped down in the seat and that was it.

EVANS: Oh, but you don't know what --

KERSHAW: There were other people with you and Raoul when
you went into Mexico?

RAY: No, not in the car, no.

KERSHAW: Well they were around? You mean there were two
cars?

RAY: There was on other car there, yes. But --

HAUSMAN: There was another driver?

RAY: Huh?

HAUSMAN: There was another driver?

RAY: There was another driver yes.

HAUSMAN: Did you ever see him?

RAY: Ah, yes. Profile.

HAUSMAN: Did you get a good look at him?

RAY: Profile yes.

HAUSMAN: Could you give us a description as you best remember him?

RAY: Well I done give you the description. I don't want to go into, too far into that anyway because I'm, I mean I don't want to get, ah, some of these things I haven't looked into. I, I don't like to get someone else to know more than I do about it. And, but I've give this description to you already. It's on the record already.

LEHNER: Okay. I think -- It's now actually 4:23. I think in order for us to make our plane we really have to move out now. Um, maybe we could end the interview now unless there's anything that you really want to put on this minute, or if you want to wait and put it on the first time the next, the beginning of next session will be you, Mr. Ray, putting on whatever you want for the first portion, whatever lenght you want to make it.

RAY: I think this description, I think it was kind of a Spanish looking fellow more slightly more Indian than the other fellow. I think that's the description I give you. I mean I want to give you the description here because he can't say I give one and forgot the other one, so --

KERSHAW: You are talking about the profile of the driver-

RAY: Yes, yes.

KERSHAW: - that you suspect as being Rosenson?

RAY: Well, I -- Now I don't suspect him of being anything. I just say it's, ah, -- Well, now, you, do you want -- Or you want to tell me what you specifically you want?

LEHNER: Yeah, I think I can tell you this. The next session, the way I see it, subject to Mr. Kershaw's input to this as well, is that we start off with you putting on the record things that you think should get on the record that didn't get in because of the question and answer way in which these are conducted. That one answer leads to another question and many times it goes off in a direction that we really don't expect it to, but it's a free, freewheeling type of question and answer that we are engaged in. So you start off by putting things on the record that you wish. Then let's go into the rest of the things that we haven't covered from the time of your arrest in London to the present. Ah, which deals with Hanes, we dealt more with Foreman I think than with Hanes. We had more things with Hanes. Everything from then to the present. Then after that's finished let's go into as you suggested in your letter to us, which, ah - ah, we, we received where you said that you received from your brother, most of all, your papers and that you would then be ready to go into all of the action from the Mo curi- the Missouri escape until the arrest in England. So, that will be done after we finish the next session which should be your putting on the record what you want to put on the record, and us concluding everything from the escape to the present time.

KERSHAW: That will be fine. Now, then have you got

about three minutes because there's one question that you have suggested to me.

Jim, do you remember when you were at that guilty plea hearing and the three or four days there prior to your actual state of mind why you had been in 8 months solitary confinement with the lights on day and night, monitored by the TV, you'd been sick, soforth and soforth, did you actually, do you remember whether you felt deep down to where you couldn't say, look judge I'm trying to tell you something or were you coldly calculating if, even if in hindsight, it didn't, it doesn't now seem too damn smart, were you coldly calculating in planning for a new trial and, and reopening the case as you say with another lawyer and this was the only way you saw to get out of it?

RAY: Well I'm not -- I'm not, I, I fully intended to open the case with another lawyer, that's exculpatory evidence. But I was just best, I thought I was in the best deal I could get.

KERSHAW: Well when you stood up that day in court do you remember whether you felt belligerent or whether you felt shaky in the knees or whether you felt like you were kind of bumptious and ought not be standing up? Just how did you feel?

RAY: Well I don't know. They wear you down on these things. It's more difficult to determine how you feel, if you break a leg you know how it feels, it hurts, but on this solitary confinement, you know, it just gradually wears you down. It's not something that, you really can't even tell how you're, how it affects you, I know when I come down here I'm tried now where usually if I'm out running around well it wouldn't bother

me. I, I want to add one more thing here, if you, if it's all right?

LEHNER: Go ahead, okay.

RAY: When, when ah -- When Sprague, when Richard Sprague was Chief Counsel he asked me to take a polygraph test and a, and a stress test. And I think I agreed to both of them. Now since then I have took one, but I, I'm going to question the results, and there's another test run on me and it was just the opposite. But, what I'm concerned about is this last test I took with Playboy. Now, I think if I, if I took another one and it would be favorable it might be a question of which one is the most accurate. Now, since I've took those tests, by the way, I wanted to take the test with Playboy at the same time with the Committee and that's what I thought they was going to do, but they got in a hurry. But, anyway, since I took the test I read thre four texts on polygraphs and that's what I should of done before I ever took that test. And there's various, I don't want to make any excuses for it but there is various things according to the man that put the text out himself. There's various things, they didn't follow certain rules. And for instance when you are interrupted or something like that or the room, the room's real hot it'll, it'll affect the test especially if it's close to, you know, if they really can't tell one way or the other if you are deceptive. And now, I was - I was interupted four or five times but what I want to do is just give you the name of two guards that interupted me, and if it ever does comes by, get down to where maybe your test is accurate

or whether the other one is, why it might be a question of which one was the most technical given. Now the two guards that interrupted me, one of them was Norman Hardy, and I done spoken to him, and the other one was James Creed. And I think Jack Kershaw he interrupted us once and I think it's onthe chart and then there's various other things about this test but I will go into that later, and but do you still intend to give those tests?

LEHNER: Yes, we do.

RAY: All right.

LEHNER: We do intend-

RAY: All right.

LEHNER: -to give those tests and that's something we want to do just as soon as we finish out questioning with your.

RAY: Well, what I want to do, ah, you know you got to be ignorant to take any of this stuff without reading up on them first. It's like playing card with a card shark without - and then crying because you loose your money.

Ah, now you can't beat the test, you can't beat the test by reading the books, but you can keep the tester honest. Because, well let me show one exampe. A lot of times when you are breathing they will ask you a relevant question, well you will naturally start breathing trying to catch the question, you know your breath will come shorter, well that indicating on the, you know the chart, you're, you know you are being deceptive. Whereas if you just breath normal all through these questions they can't, you know, show up things against you that way.

LEHNER: Well, I think Mr. Kershaw and I are going to read up on a couple of these books so that at least we will be able to talk to you about it, and we will all decide before the test what the ground rules are, so we will have plenty of time for that.

KERSHAW: Yeah.

LEHNER: Let's if, if we can now, it's exactly 4:30, let's wrap up and end the session and then we will discuss when we are going to meet again.

(End of Sixth Interview with James Earl Ray on
September 29, 1977).

